

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF MISSISSIPPI

FILED

NOV 14 2017
DAVID CREWS, CLERK
BY Deputy

ANDREW CLINTON CRUSE JR.

Plaintiff

v.

CASE NO. 4:17CV162-DMB-DASMS. DEPT. OF CORRECTIONS, ET AL

Defendant

PRISONER'S COMPLAINT CHALLENGING CONDITIONS OF CONFINEMENT

1. The Plaintiff's full legal name, the name under which the Plaintiff was sentenced, the Plaintiff's inmate identification number, the Plaintiff's mailing address, and the Plaintiff's place of confinement are as follows:

A. Legal name:

ANDREW CLINTON CRUSE JR.

B. Name under which sentenced:

SAME

C. Inmate identification number:

64876

D. Plaintiff's mailing address (street or post office box number, city, state, ZIP):

M.S.P. UNIT 30-AB-ZONE BED 140

E. Place of confinement:

PARCHEMAN, MS. 38738

2. Plaintiff names the following person(s) as the Defendant(s) in this civil action:

Name:

MS. DEPT. OF CORRECTIONS

Title (Superintendent, Sheriff, etc.):

SEE ADDITIONAL PAGE

Defendant's mailing address (street or post office box number, city, state, ZIP)

CONT'D ATTACHED SHEET

11/14/17

[Handwritten signature]

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS

Plaintiff

Case No. 17-cv-00162-DAS

Defendant

Plaintiff's Complaint (captioned as follows)

The Plaintiff alleges that the Defendant, who is a resident of the State of Illinois, has committed various acts of harassment and abuse against the Plaintiff, who is a resident of the State of Illinois. The Plaintiff seeks damages and other relief.

The Plaintiff alleges that the Defendant has committed various acts of harassment and abuse against the Plaintiff, who is a resident of the State of Illinois. The Plaintiff seeks damages and other relief.

The Plaintiff alleges that the Defendant has committed various acts of harassment and abuse against the Plaintiff, who is a resident of the State of Illinois. The Plaintiff seeks damages and other relief.

DEFENDANTS ADDRESS OF RECORD CONT'D PAGE 1

1.) Commissioner Pelicia Hall
deputy Commissioner Jerry Williams
CAN BE REACHED AT 633 North State Street
JACKSON, MS 39202 OR Post Office Box 1057
PARCHMAN, MS. 38738

2.) All other DEFENDANTS CAN BE REACHED AT:
Mississippi State Penitentiary Admin. Building
Post Office Box 850
PARCHMAN, MS. 38738

ND MISS. FORM P3, COMPLAINT CHALLENGING CONDITIONS OF CONFINEMENT (4/00)

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Name:

SEE ATTACHED SHEET

Title (Superintendent, Sheriff, etc.):

Defendant's mailing address (street or
post office box number, city, state, ZIP)

Name:

Title (Superintendent, Sheriff, etc.):

Defendant's mailing address (street or
post office box number, city, state, ZIP)

Name:

Title (Superintendent, Sheriff, etc.):

Defendant's mailing address (street or
post office box number, city, state, ZIP)

(If additional Defendants are named, provide on separate sheets of paper the complete name, title, and address information for each. Clearly label each additional sheet as being a continuation of Question 2).

3. Have you commenced other lawsuits in any other court; state or federal, dealing with or pertaining to the same facts that you allege in this lawsuit or otherwise relating to your imprisonment? ☒ Yes ☐ No

4. If you checked "Yes" in Question 3, describe each lawsuit in the space below. If there is more than one lawsuit, describe the additional lawsuit(s) on separate sheets of paper; clearly label each additional sheet as being a continuation of Question 4.

A. Parties to the lawsuit:

Plaintiff(s): ANDREW C. CRUSE JR.Defendant(s): MELVAN BRISOLARA, ET ALB. Court: Southern DistrictC. Docket No.: 2015-CV-172D. Judge's Name: ROBERT WALKERE. Date suit filed: 2015F. Date decided: dont REMEMBERG. Result (affirmed, reversed, etc.): dismissed

5. Is there a prisoner grievance procedure or system in the place of your confinement? ☒ Yes ☐ No
6. If "Yes," did you present to the grievance system the same facts and issues you allege in this complaint? (See question 9, below). ☒ Yes ☐ No

7. If you checked "Yes" in Question 6, answer the following questions:

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Party's (DEFENDANTS)

- 1.) Mississippi Dept. OF CORRECTIONS
- 2.) WARDEN Timothy Morris
- 3.) Deputy WARDEN VERLENA Flagg
- 4.) Commissioner Pelicia Hall
- 5.) deputy Commissioner JERRY Williams
- 6.) CENTURION OF Mississippi
- 7.) C.N.P. ANGELA BROWN
- 8.) Willie Knighten - Health SERVICES Administrator
- 9.) NURSE A _____ Goldin R.N.
- 10.) Dr. J _____ SANTO's
- 11.) CASE MANAGER Kyrstal CARTER - Unit 29-F
- 12.) CASE MANAGER CAROLYN ORR - Unit 30-A
- 13.) Ass. Deputy WARDEN Marylen Sturdivant - Unit 30
- 14.) Lt. _____ JOHNSON (BLACK FEMALE) - Unit 30
- 15.) Sgt. Mary Robinson - Unit 30
- 16.) deputy WARDEN S. SANTICAL - Unit 30
- 17. ARAMARK Food SERVICES

ND MISS. FORM P3, COMPLAINT CHALLENGING CONDITIONS OF CONFINEMENT (4/00)

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A. Does the grievance system place a limit on the time within which a grievance must be presented? ☒ Yes ☐ No

B. If you answered "Yes," did you file or present your grievance within the time limit allowed? ☒ Yes ☐ No

C. The court must find that you exhausted the prison's grievance system and administrative remedies before it can consider this Complaint. State everything you did to present your grievance(s). Be specific. Include the date(s) on which you filed or presented your grievances to prison officers; identify the officer(s). State your claim(s) exactly.

WROTE GRIEVANCES TO MEDICAL ADMINISTRATOR, U.S. DEPT OF JUSTICE
SPECIAL LITIGATION UNIT, MS. ATTORNEY GENERAL, 3 DEPUTY WARDENS
OF M.D.O.C., NURSE ANGELA BROWN, UNIT 29-F Lt. HOPE
WROTE AND TALKED WITH CASE MANAGERS, AS WELL AS A.R.P.'S
TO MR RICHARD PENNINGTON LEGAL CLAIMS ADJUDICATOR (I.L.A.P.)
DIRECTOR

D. State specifically what official response your grievance received. If the prison provides an administrative review of the decision on your grievance, state whether you applied for that review and what the result was.

~~THEY DENIED MY CLAIMS AND REFUSED TO DO ANYTHING~~
COND ON STATEMENT OF CLAIMS
DID NOTHING BUT DENY NEEDED MEDICAL CARE AND PUT MY LIFE
IN FURTHER DANGER OF SERIOUS BODILY INJURY.

04 5

1998, 1999, 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2020, 2021, 2022, 2023, 2024, 2025, 2026, 2027, 2028, 2029, 2030, 2031, 2032, 2033, 2034, 2035, 2036, 2037, 2038, 2039, 2040, 2041, 2042, 2043, 2044, 2045, 2046, 2047, 2048, 2049, 2050, 2051, 2052, 2053, 2054, 2055, 2056, 2057, 2058, 2059, 2060, 2061, 2062, 2063, 2064, 2065, 2066, 2067, 2068, 2069, 2070, 2071, 2072, 2073, 2074, 2075, 2076, 2077, 2078, 2079, 2080, 2081, 2082, 2083, 2084, 2085, 2086, 2087, 2088, 2089, 2090, 2091, 2092, 2093, 2094, 2095, 2096, 2097, 2098, 2099, 2100, 2101, 2102, 2103, 2104, 2105, 2106, 2107, 2108, 2109, 2110, 2111, 2112, 2113, 2114, 2115, 2116, 2117, 2118, 2119, 2120, 2121, 2122, 2123, 2124, 2125, 2126, 2127, 2128, 2129, 2130, 2131, 2132, 2133, 2134, 2135, 2136, 2137, 2138, 2139, 2140, 2141, 2142, 2143, 2144, 2145, 2146, 2147, 2148, 2149, 2150, 2151, 2152, 2153, 2154, 2155, 2156, 2157, 2158, 2159, 2160, 2161, 2162, 2163, 2164, 2165, 2166, 2167, 2168, 2169, 2170, 2171, 2172, 2173, 2174, 2175, 2176, 2177, 2178, 2179, 2180, 2181, 2182, 2183, 2184, 2185, 2186, 2187, 2188, 2189, 2190, 2191, 2192, 2193, 2194, 2195, 2196, 2197, 2198, 2199, 2200, 2201, 2202, 2203, 2204, 2205, 2206, 2207, 2208, 2209, 2210, 2211, 2212, 2213, 2214, 2215, 2216, 2217, 2218, 2219, 2220, 2221, 2222, 2223, 2224, 2225, 2226, 2227, 2228, 2229, 2230, 2231, 2232, 2233, 2234, 2235, 2236, 2237, 2238, 2239, 2240, 2241, 2242, 2243, 2244, 2245, 2246, 2247, 2248, 2249, 2250, 2251, 2252, 2253, 2254, 2255, 2256, 2257, 2258, 2259, 2260, 2261, 2262, 2263, 2264, 2265, 2266, 2267, 2268, 2269, 2270, 2271, 2272, 2273, 2274, 2275, 2276, 2277, 2278, 2279, 2280, 2281, 2282, 2283, 2284, 2285, 2286, 2287, 2288, 2289, 2290, 2291, 2292, 2293, 2294, 2295, 2296, 2297, 2298, 2299, 2300, 2301, 2302, 2303, 2304, 2305, 2306, 2307, 2308, 2309, 2310, 2311, 2312, 2313, 2314, 2315, 2316, 2317, 2318, 2319, 2320, 2321, 2322, 2323, 2324, 2325, 2326, 2327, 2328, 2329, 2330, 2331, 2332, 2333, 2334, 2335, 2336, 2337, 2338, 2339, 2340, 2341, 2342, 2343, 2344, 2345, 2346, 2347, 2348, 2349, 2350, 2351, 2352, 2353, 2354, 2355, 2356, 2357, 2358, 2359, 2360, 2361, 2362, 2363, 2364, 2365, 2366, 2367, 2368, 2369, 2370, 2371, 2372, 2373, 2374, 2375, 2376, 2377, 2378, 2379, 2380, 2381, 2382, 2383, 2384, 2385, 2386, 2387, 2388, 2389, 2390, 2391, 2392, 2393, 2394, 2395, 2396, 2397, 2398, 2399, 2400, 2401, 2402, 2403, 2404, 2405, 2406, 2407, 2408, 2409, 2410, 2411, 2412, 2413, 2414, 2415, 2416, 2417, 2418, 2419, 2420, 2421, 2422, 2423, 2424, 2425, 2426, 2427, 2428, 2429, 2430, 2431, 2432, 2433, 2434, 2435, 2436, 2437, 2438, 2439, 2440, 2441, 2442, 2443, 2444, 2445, 2446, 2447, 2448, 2449, 2450, 2451, 2452, 2453, 2454, 2455, 2456, 2457, 2458, 2459, 2460, 2461, 2462, 2463, 2464, 2465, 2466, 2467, 2468, 2469, 2470, 2471, 2472, 2473, 2474, 2475, 2476, 2477, 2478, 2479, 2480, 2481, 2482, 2483, 2484, 2485, 2486, 2487, 2488, 2489, 2490, 2491, 2492, 2493, 2494, 2495, 2496, 2497, 2498, 2499, 2500, 2501, 2502, 2503, 2504, 2505, 2506, 2507, 2508, 2509, 2510, 2511, 2512, 2513, 2514, 2515, 2516, 2517, 2518, 2519, 2520, 2521, 2522, 2523, 2524, 2525, 2526, 2527, 2528, 2529, 2530, 2531, 2532, 2533, 2534, 2535, 2536, 2537, 2538, 2539, 2540, 2541, 2542, 2543, 2544, 2545, 2546, 2547, 2548, 2549, 2550, 2551, 2552, 2553, 2554, 2555, 2556, 2557, 2558, 2559, 2560, 2561, 2562, 2563, 2564, 2565, 2566, 2567, 2568, 2569, 2570, 2571, 2572, 2573, 2574, 2575, 2576, 2577, 2578, 2579, 2580, 2581, 2582, 2583, 2584, 2585, 2586, 2587, 2588, 2589, 2590, 2591, 2592, 2593, 2594, 2595, 2596, 2597, 2598, 2599, 2600, 2601, 2602, 2603, 2604, 2605, 2606, 2607, 2608, 2609, 2610, 2611, 2612, 2613, 2614, 2615, 2616, 2617, 2618, 2619, 2620, 2621, 2622, 2623, 2624, 2625, 2626, 2627, 2628, 2629, 2630, 2631, 2632, 2633, 2634, 2635, 2636, 2637, 2638, 2639, 2640, 2641, 2642, 2643, 2644, 2645, 2646, 2647, 2648, 2649, 2650, 2651, 2652, 2653, 2654, 2655, 2656, 2657, 2658, 2659, 2660, 2661, 2662, 2663, 2664, 2665, 2666, 2667, 2668, 2669, 2670, 2671, 2672, 2673, 2674, 2675, 2676, 2677, 2678, 2679, 26

1. The first part of the report is a general introduction to the project, which includes a statement of the problem, the objectives of the study, and a brief description of the methodology used.

Special Note: Attach to this Complaint as exhibits complete copies of all requests you made for administrative relief through the grievance system, all responses to your requests or grievances, all administrative appeals you made, all responses to your appeals, and all receipts for documents that you have.

8. If you checked "No" in Question 6, explain why you did not use the grievance procedures or system:

N/A

9. Write below, as briefly as possible, the facts of your case. Describe how each Defendant is involved. Write the names of all other persons involved. Include dates and precise places of events. Do not give any legal argument or cite any legal authority. If you have more than one claim to present, number each claim in a separate paragraph. Attach additional pages only if necessary; label attached pages as being continuations of Question 9.

SEE ATTACHED PAGES

the Court's decision in *United States v. Jones*, 529 U.S. 848 (2000), which held that the government's installation of a GPS device on a vehicle without a warrant violated the Fourth Amendment. The Court in *Jones* found that the government's conduct was a search because it involved a physical intrusion into a private area. The Court also found that the government's conduct was unreasonable because it was not justified by a warrant. The Court's decision in *Jones* is binding on all lower courts.

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How DEFENDANTS Violated Plaintiff's Rights

- 1) The Mississippi Dept. of Corrections Solely Employees All Physical Defendants
- 2) Warden Timothy Morris, Deputy Warden Verlena Flagg, Commissioner Felicia Hall, deputy Commissioner Jerry Williams, Case Manager Kyrstal Carter and Carolyn Orr, and Deputy Warden Marylen Sturdivant violated Plaintiff's Rights by allowing medical prisoner(s) to be house in unsanitary, dirty, unsafe buildings. And Refuse to correct Employee's at an Administrative level for the wrongs, breach of M.D.O.C. Policy's, and illegal Activities many staff are involved in.
- 3) Deputy Warden S. Santical violated Plaintiff Constitutional Right to be free from harm and being placed in a Unit 30-A which is known Plaintiff is white and Black Gang Members called it a Hate thing and all the white prisoner all look like a family of raccoons and knots and bruises to be allowed for the nurse's here at the M.S.P. Unit 42 Hospital Unit at Pachman, Ms.; Warden Santical over exceeds her authority to act when she also allows, and co-allows movement of Black Members from Unit 30 as a whole.

Contd. How DEFENDANTS VIOLATED PLAINTIFFS' RIGHTS.

- 4.) Lt. Johnson (BlackFeral) and Sgt. Mary Robinson Both of M.S.P., Unit 30-Whole Compound ASSESS. AND Both Violation PLAINTIFFS' Rights by Sgt. Mary Robinson told All INMATE in ZONE with PLAINTIFF saying that QUOTE "You Probley in here (M.S.P) For Fuckin ME Brother out in the World; And Lt. Johnson ASSISTED in the CONSTANT HARASSMENT AND talking of legal work, 2 legal letter's in envelopes, A Canteen bought spoon, Cereal Bowl AND 2 Coffee mugs sold on Canteen, Medication (Half of) AND EVEN STATE issue clothes AND Violation the Federal AND State Prison Legal Rape Reform Act. of 2003. And acting with very, very much Malice.
- 5.) Centurion of Mississippi - The contractor For All PRISONERS medical Needs - AND KNOWING Allow STAFF in Their Employment - Hurt, Mistreat, AND DENIE PROPER medical treatment of PLAINTIFFS treating of His boint Joint deseece AND the Need For A Special Physician AND Refusal of PLAINTIFFS left Hip; Operation - AND Allowing Mistreatment of PLAINTIFF For 4 to 6 hr. just For Nurse call AND AM made to Set on A Hard Bench knowing it CAUSE PAIN AND Allow STATE to let it go at will. AND Employee A legally Blind Doctor to CARE For PLAINTIFF Special Medical Need that Can't SEE AN X-RAY, ARE SKIN RASH.

Contd. How defendants ^{violated} Constitutional Right

- 6) C.N.P. - NURSE ANGELA BROWN violated Plaintiff Constitutional duty by changing plaintiff's medical care for she is not in the field of Orthopedic medicine, ARE ~~EVER~~ ^{NEVER} DONE A Hip replacement and DENIAL OF Plaintiff Medical Care when Plaintiff suffered the symptoms of a mild stroke at Unit 29-F; and directing all Nurses and other Unit 42 Nurses to go along with her misconduct for she runs the Hospital not Mr. Willie Knighten Health Services Administrator
- 7) Mr. Willie Knighten, Nurse A Goldwain; - took sides against Plaintiff and allowing proper medical treatment, denied Plaintiff a Medical Profile showing Chronic Care, Lay-in's because Plaintiff's Left Hip Joint is in fact bone on bone and is a serious medical need and the pain can cause a stroke, are a massive fatal heart attack in which Plaintiff in imminent danger of serious physical injury are even cause death from prolonged periods of pain.
- 8) Dr. J. Santos Violated Plaintiff's rights for allowing a certified Nurse Practitioner to change a proven medical condition Plaintiff had been cared for by Orthopedic Specialist before his being transferred to the Ms. State Penitentiary at Parchman, Ms. Doctor Santos is legal blind and cannot read Plaintiff's X-Rays are even see skin rashes on the

Contd. How DEFENDANTS VIOLATED PLAINTIFF'S RIGHTS

PLAINTIFF'S NECK, Stomach, AND groin. HE DENIES PLAINTIFF AN APPOINTMENT to get a much NEEDED Cortisone Injection in PLAINTIFF'S LEFT Hip to RELEASE Pain For Doctor SANTO'S CANNOT SEE to give the Injection HIMSELF in which has to be guided with USE OF AN Ultra-Sound MACHINE to get the injection in the RIGHT AREA OF THE LEFT hip-Joint.

- 9.) CASE MANAGER'S Kyrstal CARTER Unit-29-F VIOLATED PLAINTIFF'S Constitutional Rights By REFUSING to HAVE PLAINTIFF TRANSFERRED to a Medical Unit FOR SHE KNEW THAT PLAINTIFF WAS Medically HANDY-CAPPED AND Building WAS UNSAFE with mold, NO ACCESS FOR HANDY-CAP PRISONER'S AND WAS IN FACT A Physical DANGER FROM FURTHER Medical Injury's to PLAINTIFF due to Building Conditions AND GANG VIOLENCE.
- 10.) CASE MANAGER CAROLYN ORR-Unit 30-A-Violated PLAINTIFF'S Rights by KEEPING him in transit in Unit 30-A, B-ZONE KNOWING PLAINTIFF WAS HOUSED in a ZONE THAT HAD A RAIN OF VIOLENCE by BLACK GANG MEMBERS AND A dirty, Nasty Building THAT WAS A SAFETY HAZZARD FOR PLAINTIFF BEING A Medical PRISONER AND THAT PLAINTIFF WAS HARASSENED by STAFF MEMBERS AND THE RAIN OF DRUGS in the Building by PLAINTIFF AND FAILED to take ANY kind of Action.

11) ARAMARK Food Services violated Plaintiff Constitutional Rights they are employed as a private contractor to furnish all meals to Prisoners, with complete wholesome food that is good nutritious and good to overall health and its employees allow prison inmates to cut down the ~~size~~ size of food portions and sell food to other prisoners that was stolen from the kitchen that would have in fact been part of Plaintiff's diet such as Bacon, Chicken, Chicken Breast Patties, Ham, Biscuits, Bread, Coffee, Sugar, and milk as well as cutting all portion sizes in half and denied Plaintiff the serving of his medically proscribed cardiac diet with allergy's to Oatmeal, Bologna, Salami, and Hot Dogs in which Bologna is served 7 to 8 meals a week plus at breakfast meals 4 times a week. And Prisoners are allowed to change menus at will because of all the stolen food items. Plaintiff is rarely given the trays within the menus posted, 60 percent of the time the food and menus do not match and Aramark employees including the director condone this practice.

STATEMENT OF CLAIM

ON MARCH 7, 2017 I WAS TRANSFERRED TO THE M.D.O.C. R+C UNIT AT C.M.C.F. AT P.O. BOX 88550; PEARL, MS. 39288-8550. I HAD EXISTING MEDICAL DISABILITIES - C.O.P.D.; CONGESTIVE HEART FAILURE, HIGH BLOOD PRESSURE AND THE NEED FOR A FULL HIP REPLACEMENT OF MY LEFT HIP - FOR I HAVE SEVERE DEGENERATIVE JOINT DISEASE OF THE LEFT HIP JOINT. I WAS SEEN BY MEDICAL STAFF EMPLOYED BY CENTURION OF MISSISSIPPI AND DENIED MY MUCH NEEDED CORTISONE INJECTION AND MOST ALL MY MEDICATION WERE CHANGED AND MANY WERE CHANGED THAT MEDICAL SPECIALIST PLACED ME ON LIKE MY NEXUM (STOMACH PILL) THAT WAS CHANGED TO PRILOSEC FOR THEY NEW IT WAS CHEAPER AND A GASTROLOGIST NAMED NADON BARON M.D. I ALSO HAVE THE MEDICAL CONDITION ASTHMA, AND HYPERTENSION AND NEUROPATHY TO BOTH LEGS AND FEET. AND AM A SURVIVOR OF NON-HODGKINS LYMPHOMA. THE PRILOSEC ENHANCES THE BONE DEGENERATION IN MY LEFT HIP. I HAD FACTUAL MEDICAL RECORDS FROM THE JAIL THAT MEDICAL SAID THEY WOULD NOT USE; AND I SIGNED MULTIPLE REQUEST FOR MY MEDICAL RECORDS TO BE RELEASED TO THE MISSISSIPPI DEPT. OF CORRECTIONS AND ON APRIL 26, 2017 I WAS TRANSFERRED TO THE MISSISSIPPI STATE PENITENTIARY AT PARCHMAN, MS. I WAS PLACED IN UNIT 29-E KNOWING I WAS A MEDICAL CLASS PRISONER THAT NEED A FULL HIP REPLACEMENT. I WAS PLACED IN A BUILDING WITH BLACK MOLD, A LEAKING ROOF AND PLACED ON A TOP FLOOR WHERE I WAS FORCED TO WALK UP AND DOWN ON SLEPPERY STAIRS WHERE THERE IS NO HANDY-CAP BATHROOM ARE SHOWER. THERE WERE 64 OTHER PRISONERS

Contd. Statement of Claim

THEIR WAS ONE WORKING TOILET ON EACH TIER AND ONE WORKING URINAL ON EACH TIER WITH BOTH SHOWERS SLIPPERY AND NAKED ELECTRICAL WIRES HANGING OUT. IT RAINED MY SECOND DAY IN UNIT 29-E AND THE WHOLE DAY ROOM FLOOR FLOODED FROM THE LEAKING ROOF. I SPOKE WITH UNIT 29-E CASEMANAGER MRS. HILL AND WAS TOLD I HAD A MEDICAL HOLD AND COULD NOT BE TRANSFERRED BECAUSE OF MY MEDICAL CLASS. ON MAY 3, 2017 I WAS TRANSFERRED ACROSS THE YARD TO UNIT 29-F BUILDING AND THE CONDITION OF THE BUILDING WAS JUST AS BAD. I SPOKE WITH CASE MANAGER KYRSTAL CARTER AND TOLD THE SAME THING AS CASE MANAGER HILL THAT THE HOSPITAL UNIT 42 AT PARCHMAN WOULD HAVE TO RELEASE ME SO I COULD TRANSFER. MEDICAL NURSE (C.M.C.F.) ANGELA BROWN TOLD ME I COULD NOT BE TRANSFERRED FOR I WAS SENT TO PARCHMAN TO HAVE A HIP REPLACEMENT. AFTER MANY ATTEMPTS TO GET MY CORTISONE INJECTION I WAS GIVEN A SHOT FOR PAIN BY ANOTHER NURSE THAT MADE ME RUN A FEVER FOR 3 DAYS, I HAD A LOSS OF APPETITE AND THREW UP MOST OF WHAT I HAD EATEN FOR THREE DAYS AND STILL DENIED MY CORTISONE INJECTION THAT I HAD BEEN RECEIVING BY ORTHOPEDIC PHYSICIANS AND DENIED ONCE I ENTERED M.D.O.C. FOR THEY CLAIM TO NOT EMPLOYEE A ORTHOPEDIC STAFF PHYSICIAN AT C.M.C.F. ARE UNIT 42 AT PARCHMAN, BUT INFACT SEND PRISONERS TO ORTHOPEDIC PHYSICIAN'S OFF SITE OF PRISON GROUNDS.

Contd. Statement of Claims

ON JULY 20, 2017 MR. WILLIE KNIGHTEN, HEALTH SERVICES ADMINISTRATOR FOR CENTURION OF MISSISSIPPI AT THE MS. STATE PENITENTIARY AT PARCHMAN, MS. WROTE ME A LETTER SAYING I COULD BE TRANSFERRED TO AN M.D.O.C. UNIT AWAY FROM PARCHMAN MS. I THEN WENT TO CAGE MANAGER KYRSTAL CARTER AT UNIT 29-F AND ASK TO BE MOVED AND WAS TOLD SHE WAS NOT REQUESTING A TRANSFER FOR ME. WHILE AT UNIT 29-F ASS. WARDEN MARYLEN STURDIVANT, WARDEN MORRIS, DEPUTY WARDEN VERLENA FLAGG AND INSPECTORS CAME IN UNIT 29-F AND IT FAILED MANY HEALTH AND FIRE CODE VIOLATIONS; I ASK WARDEN FLAGG IF SHE WAS A WARDEN AND SHE DENIED THE FACT CLAIMING TO BE JUST ANOTHER M.D.O.C. EMPLOYEE, FOR I WAS TRYING TO BRING THE FACT OUT THAT THE WATER IN THE BUILDING WE SHOWER IN AND FOOD IS COOKED WITH AT UNIT 29 AS A WHOLE HAS RUST, DIRT, AND AN OILY FILM TO IT ONCE SETTLED IN A CONTAINER, AND I WAS IN FACT A CHRONIC CARE MEDICAL PATIENT AND THE BUILDING WAS MAKING MY MEDICAL CONDITIONS (C.O.P.D. + RETAINING FLUID IN MY LEGS AND STOMACH) WORSE. I ALSO FILED AN A.R.P. ON THE UNSANITARY SERVING OF FOOD IN THE GYM AND UNIT 29 BUILDINGS SERVED AND PREPARED BY PRISONERS THAT ARE NASTY AND DON'T SHOWER AS WELL AS HAVING HEP. C AND BEING ALLOWED TO SERVE FOOD IN TRAYS. EXHIBIT 3 IS PROOF THAT ADMINISTRATIVE OFFICIALS KNEW OF THE PROBLEM AS WELL AS EMPLOYEES AND PRISONERS SELLING ALL STATE ISSUE FOOD ITEMS.

Contd. STATEMENT OF CLAIMS

At this time I was also trying to place a Red Tag for my immediate safety from Nurse (CNP) Angela ^{BLACK} Brown, and Transportation Office Sgt. J. Harris (Female) after they had me threatened by Unit 29 Prisoner's after I observed Nurse Brown give Sgt. Harris a Brown Paper Bag at Unit 42 (Medical Hospital) that Sgt. Harris gave to a Unit 30 Kitchen Worker that pulled out 2 Cell Phones and a (1) one pound Bag of Mentol Tobacco, and packs of Spice in which are both illegal contraband and a criminal act to introduce contraband to a Penial Institution are City Jail, County Jail are detention Center's. And Nurse Brown also denied my operation and changed my Medical Care. The whole Medical Staff sided with Nurse Brown and I was later given Dr. J. Santos who is in fact legally blind and cannot read X-Rays, are see skin rashes and in which I have at this time. Dr. J. Santos is around early 80's and has to have the assistance of a Nurse to walk around the M.D.O.C. Hospital Unit 42. The Nurse does the work and not qualified to recite medical findings of the X-Rays. And I am denied proper treatment by a legally blind Doctor that cannot see. On Aug. 4, 2017 I had a Medical Emergency at Unit 29-F Building I passed out and was placed on my bed by Prisoner's where a couple hours later when I could ~~not~~ ^{NOT} move my left arm; I beat on the Hall Door for help.

Contd. STATEMENT OF FACTS

I WAS THEN DENIED MEDICAL CARE ALL TOGETHER. OFFICER MITCHELL CALLED MEDICAL AND WAS TOLD I WOULD BE SEEN AFTER RED AND WHITE MEDICAL CALL EVEN WITH THE FACT I HAD THE SYMPTOMS OF A LIGHT STROKE (I HAVE CONGESTIVE HEART FAILURE) AND WAS DENIED ALL MEDICAL TREATMENT AND LAUGHED AT BY OFFICER MITCHELL, CASE MANAGER K. CARTER AND HER GIRLFRIEND DISCIPLINARY LT. TERRY OF UNIT 29. I GOT ON THE INMATE HELP LINE AND REPORTED I HAD BEEN REFUSED MEDICAL CARE AND LATER ON I BELIEVE TO BE SAT. AUG. 5, 2017 I WAS FINALLY BROUGHT TO UNIT 42 TO GET MEDICAL TREATMENT AND WAS REFUSED TREATMENT ALL TOGETHER FOR THE MEDICAL EMERGENCY AND SAW FOR A SICK CALL DATE AUG. 3, 2017 BEFORE THE MEDICAL EMERGENCY HAPPENED. I WAS DENIED AN E.K.G. ONE OF THE FIRST MEDICAL TEST THAT WOULD HAVE BEEN DONE BY A CONFIDENT MEDICAL STAFF MEMBER; PLACING ME IN DANGER OF HAVING A REPEATED STROKE IN WHICH I BELIEVE I HAD. OFFICER MITCHELL HAD BEEN MOVED TO 29-F BUILDING AFTER SHE LET A PRISONER IN HER CARE DIE IN ANOTHER BUILDING AFTER SHE REFUSED TO CALL FOR MEDICAL HELP AND ALL M.D.O.C. WARDEN'S AT THE M.S.P. NEW OF THIS ISSUE OF HER REPEATED ACT'S OF NOT GETTING MEDICAL CARE FOR PRISONER'S IN HER CARE.

ON TUESDAY AUG. 8, 2017 I WAS TRANSFERRED TO UNIT 30-A AND PLACED IN TRANSIT UNTIL I WAS MOVED TO ANOTHER UNIT AS I WAS TOLD BY THE COUNSELOR MR. ROSS

Contd. STATEMENT OF CLAIM

I WAS PLACED IN UNIT 30-A THAT THE SHOWERS HAD BEEN STOPPED UP AND FLOODING FOR 2 WEEKS BEFORE MY ARRIVAL AND PLACED IN THE CARE OF A VERY CLOSE FRIEND OF NURSE BROWN; LT. EDWARDS THAT ALSO WORKS MOST DAYS ALSO AT PARCHMAN'S UNIT 42 HOSPITAL CLINIC. THE SECOND DAY I WAS AT UNIT 30-A A HOLE WAS CUT IN THE FLOOR SOME 80 INCH LONG AND UP TO 48 INCHES WIDE BY 36 IN. DEEP. LEFT UNTIL LATE THE NEXT DAY UNGUARDED MAKING THE WHOLE B-ZONE SMELL OF SEWAGE GAS FOR THE DRAIN WAS LOSE. THE ZONE THAT I'M HOUSED AT UNIT 30-A B-ZONE THAT HAS A MISSING TOILET AND A MISSING URINAL THAT ARE UNCAPPED AND KEEP THIS ZONE SMELLING OF RAW SEWAGE EFFECTING MY ASTHMA; AND C.O.P.D. IT GIVES ME HEADACHES FROM THE SMELL AND SHORTNESS OF BREATH MANY TIMES A DAY. I AM HOUSED IN A UNIT THAT HAS GANG BANGING (FIGHTS) EVERY NIGHT JUST ABOUT TO THE POINT ALL NURSES WITNESS ALL WHITE PRISONERS LOOKING LIKE COONS; FROM THE BLACK EYES, CRACKED HANDS, BRUISED AND CRACKED RIB'S, AS WELL AS A PRISONER WITH A BROKE COLLARBONE FROM FIGHTING OVER DRUG DEPTS HERE IN THE ZONE. I ASKED NURSE GOLDIN AT THE UNIT 42 HOSPITAL FOR HELP GETTING MOVED FOR THE FEAR OF MY OWN SAFETY AND WAS TOLD SHE WOULD HELP AND I WAS NEVER MOVED. I WITNESSED THE MAINT. EMPLOYEE TALK TO LT. EDWARDS IN THE HALL WHILE HIS WORKER DELIVERED SOME 3000 DOLLARS WORTH OF TOBACCO (LOSE) CART'S CIGS., SPICE, CIGARS, POT AND ICE (METH) AND THEN I STARTED BEING HARASSED BY SGT. MARY

Contd. STATEMENT OF CLAIM

ROBINSON AND Lt. (FEMALE) JOHNSON OF UNIT 30-A AFTER I WROTE THE MISSISSIPPI ATTORNEY GENERAL'S OFFICE TO REPORT THE CRIMES AND PLEAD FOR MY SAFETY FOR I AM STARTING TO FEAR FOR MY LIFE, I WAS VERBALLY SEXUALLY ASSAULTED BY SGT. ROBINSON IN THE PRESENCE OF Lt. JOHNSON WHO CHEERED HER OFFICER ON AFTER A SHAKEDOWN ON SEPT. 8, 2017. WHERE THEY TOOK MY CANTEEN BOUGHT SPOON 2 COFFEE MUG AND BOWL AS WELL AS STATE ISSUE CLOTH'S AND SOME OF MY MEDICATION. I AGAIN CALLED THE PRISONER HOTLINE AND ON ABOUT SUNDAY SEPT. 10, 2017 I WAS CONFINED ON THE FLOOR WITHOUT COVER, SEATS ARE A MATTRESS FOR CALLING THE HOTLINE AND PLACED IN SEGREGATION IN THE ADMINISTRATION HOLDING CELL FOR CALLING THE HOTLINE BY Lt. JOHNSON. LATER THAT NIGHT A CAPT. CALLED THE ASS. DEPUTY WARDEN OF UNIT 30 ABOUT SENDING ME BACK TO THE BUILDING FOR THEY WERE UNAWARE OF MY MEDICAL CONDITION AND I WAS COHERST INTO SIGNING A STATEMENT. THE BEING ON THE COLD HARD FLOOR MADE MY LEFT HIP HURT ME VERY BADLY BEING CONFINED OVER 4 HOURS IN A SMALL ROOM WITHOUT A TOILET, ARE ANY TYPE FURNISHINGS WITH DRIED BLOOD ALL OVER THE WINDOWS. THE ASS. DEPUTY WARDEN AT UNIT 30 TALKED TO ME ON MONDAY SEPT. 11, 2017 AND TOLD ME THEY KNEW OF ALL THE FIGHTING AND ILLEGAL ACTIVITIES BETWEEN THE PRISONERS AT UNIT 30-A A+D PROGRAM AND WERE NOT GOING TO RESPOND TO ANY TYPE OF ASSISTENCE EVEN WITH MY LIFE IN DANGER.

Contd. STATEMENT OF CLAIM

ON WEDNESDAY SEPT. 13, 2017 THE K-9 OFFICERS SHUCK DOWN AND A FEMALE K-9 OFFICER FRISK ME DOWN TOUCHING ME TESTICLES AND PENIS IN AN INAPPROPRIATE WAY. ALSO NURSE GOLDIN REFUSED ME A BOTTOM RACK PROFILE, AS WELL AS A MEDICAL LAY-IN BECAUSE OF MY LEFT HIP AND ASTHMA GIVING ME TROUBLE AS WELL AS LOSING 10 POUNDS OF BODY WEIGHT IN 7 DAYS. ON SEPT. 8, 2017 MY WEIGHT WAS 195 AND ON SEPT. 15, 2017 MY BODY WEIGHT WAS 185. I WAS DENIED A MEDICAL DIET BECAUSE OF MY STOMACH CONDITION AND HAVING NO TEETH IN THE TOP ARE BOTHEM OF MY MOUTH AND HAVING TO SWALLOW MY FOOD IN BIG PIECES FOR I CAN'T CHEW IT AND I HAD A SPECIAL DIET TRAY ORDERED IN LATE AUG. FOR I AM REFUSED IT BY THE KITCHEN STAFF FOR I ALSO HAVE ALLERGY'S TO OATMEAL, BOLONA, SALIMA, AND HOTDOGS AND THE KITCHEN HAS ONLY SERVED ME 2 MEDICAL DIET TRAYS AS OF SEPT. 17, 2017 AND THE KITCHEN STAFF FROM ARAMARK REFUSE'S TO CORRECT THIS AND KEEPS SENDING ME TRAYS THAT I CANNOT EAT BECAUSE OF MY ALLERGIC REACTION. THE DEFENDANTS ARE PUTTING THE PLAINTIFF IN IMMINENT DANGER OF SERIOUS PHYSICAL INJURY AND FURTHER MEDICAL INJURY DUE TO PURPOSE FULL ACTION AGAINST PLAINTIFF AND SOME OF THE DEFENDANTS ACTIONS CAN INFECT LATER CAUSE DEATH.

10. State briefly exactly what you want the court to do for you. Do not make legal arguments. Do not cite legal authority.

SEE ATTACHED PAGES

This Complaint was executed at (location):

UNIT 30-A B-ZONE BED 140 MS. 38738 *PARCHMAN*

and I declare or certify or verify or state under penalty of perjury that this Complaint is true and correct.

Date:

10-3-17

Andrew C. Cuse Jr.

Plaintiff's Signature

Report

Report of the Department of Justice, Office of Inspector General, dated 11/14/17, regarding the 2016-2017 fiscal year.

9. The following information was obtained from the 2016-2017 fiscal year report regarding the 2016-2017 fiscal year:

10. The following information was obtained from the 2016-2017 fiscal year report regarding the 2016-2017 fiscal year:

11. The following information was obtained from the 2016-2017 fiscal year report regarding the 2016-2017 fiscal year:

12. The following information was obtained from the 2016-2017 fiscal year report regarding the 2016-2017 fiscal year:

13. The following information was obtained from the 2016-2017 fiscal year report regarding the 2016-2017 fiscal year:

14. The following information was obtained from the 2016-2017 fiscal year report regarding the 2016-2017 fiscal year:

15. The following information was obtained from the 2016-2017 fiscal year report regarding the 2016-2017 fiscal year:

16. The following information was obtained from the 2016-2017 fiscal year report regarding the 2016-2017 fiscal year:

17. The following information was obtained from the 2016-2017 fiscal year report regarding the 2016-2017 fiscal year:

18. The following information was obtained from the 2016-2017 fiscal year report regarding the 2016-2017 fiscal year:

19. The following information was obtained from the 2016-2017 fiscal year report regarding the 2016-2017 fiscal year:

20. The following information was obtained from the 2016-2017 fiscal year report regarding the 2016-2017 fiscal year:

21. The following information was obtained from the 2016-2017 fiscal year report regarding the 2016-2017 fiscal year:

22. The following information was obtained from the 2016-2017 fiscal year report regarding the 2016-2017 fiscal year:

23. The following information was obtained from the 2016-2017 fiscal year report regarding the 2016-2017 fiscal year:

24. The following information was obtained from the 2016-2017 fiscal year report regarding the 2016-2017 fiscal year:

25. The following information was obtained from the 2016-2017 fiscal year report regarding the 2016-2017 fiscal year:

26. The following information was obtained from the 2016-2017 fiscal year report regarding the 2016-2017 fiscal year:

27. The following information was obtained from the 2016-2017 fiscal year report regarding the 2016-2017 fiscal year:

28. The following information was obtained from the 2016-2017 fiscal year report regarding the 2016-2017 fiscal year:

29. The following information was obtained from the 2016-2017 fiscal year report regarding the 2016-2017 fiscal year:

30. The following information was obtained from the 2016-2017 fiscal year report regarding the 2016-2017 fiscal year:

Contd Page 5

RELIEF REQUESTED

I would ask relief on the following grounds

1. Fright and shock
2. DENIAL OF MEDICAL CARE
3. VERBAL SEXUAL ASSAULT
4. RECKLESS DISREGARD FOR SAFETY
5. PURPOSEFUL VIOLATION OF THE PRISON RAPE ELIMINATION ACT OF 2003 ^{BY M.D.O.C. STAFF MEMBER}
6. MENTAL ANGUISH
7. PHYSICAL PAIN
8. EMBARRASSMENT, HUMILIATION, OR MORTIFICATION
9. VIOLATING PLAINTIFF'S EQUAL PROTECTION RIGHTS
10. CRUEL AND UNUSUAL PUNISHMENT - Eight Amend. Right
11. RECKLESS DISREGARD TO A SERIOUS MEDICAL NEED
12. BEING HOUSED IN A NON-HANDY-CAP BUILDINGS DELIBERATELY WITH UNSANITARY CONDITIONS.
13. ADMINISTRATIVE NEGLIGENCE
INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS
14. IMMINENT DANGER OF SERIOUS PHYSICAL INJURY

PLAINTIFF SEEKS 500 THOUSAND DOLLAR FOR EACH OF THE LISTED DAMAGES; THIS WOULD BRING A TOTAL OF (7) SEVEN MILLION DOLLARS IN DAMAGES. PLAINTIFF WOULD ALSO SHOW 9 EXHIBIT IN SUPPORT SHOWING CHALLENGING FACTS IN THIS CAUSE

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF MISSISSIPPINORTHERN

Division

AFFIDAVIT IN SUPPORT OF MOTION TO PROCEED IN FORMA PAUPERIS

1. I swear or affirm under penalty of perjury as follows:

A. Because of my poverty, I cannot prepay or give security for the filing fees and costs for my complaint or appeal.

B. I believe I am entitled to legal redress.

C. I swear or affirm under penalty of perjury that my answers and responses on this Motion and Affidavit are true and correct. (28 USC § 1746; 18 USC § 1621).

Andrew C. Cause Jr.

Movant's Signature

2. My full name and mailing address are as follows:

Name:

Address: UNIT 30-A B-ZONE Bldg 140PARCHMAN, MS. 38738

Tel. No.

NONE

Date of Birth:

10-10-60

3. Are you presently employed?

☐ Yes☒ No

a. If you checked "Yes," state the amount of your salary, wages, or other compensation per month and give the name and address of your employer.

N/A

b. If you checked "No," state the date of your last employment and the amount of the salary, wages, or other compensation you received per month.

JAN. 2015

4. Have you received with the past 12 months any money from any of the following sources:

a. Business, profession, or form of self-employment?

☐ Yes☒ No

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

Exhibit

Attachment to Plaintiff's Motion for Summary Judgment

A sworn affidavit of Plaintiff is submitted as follows:

I, Plaintiff, do hereby declare under penalty of perjury that the facts and circumstances set forth in this affidavit are true and correct to the best of my knowledge and belief.

I declare under penalty of perjury that the facts and circumstances set forth in this affidavit are true and correct to the best of my knowledge and belief.

I declare under penalty of perjury that the facts and circumstances set forth in this affidavit are true and correct to the best of my knowledge and belief.

Plaintiff's Signature

By: [Signature] and dated this 14th day of November, 2017.

Page 1

Page 2

Page 3

Page 4

Page 5

Page 6

Page 7

I, Plaintiff, do hereby declare under penalty of perjury that the facts and circumstances set forth in this affidavit are true and correct to the best of my knowledge and belief.

I, Plaintiff, do hereby declare under penalty of perjury that the facts and circumstances set forth in this affidavit are true and correct to the best of my knowledge and belief.

I, Plaintiff, do hereby declare under penalty of perjury that the facts and circumstances set forth in this affidavit are true and correct to the best of my knowledge and belief.

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Page 9

Page 10

Page 11

ND MISS. FORM P3, COMPLAINT CHALLENGING CONDITIONS OF CONFINEMENT (4/00)

PAGE 8

- b. Rent payments, interest, or dividends? ☐ Yes ☒ No
- c. Pensions, annuities, or life insurance payments? ☐ Yes ☒ No
- d. Gifts or inheritances? ☐ Yes ☒ No
- e. Any other source? ☐ Yes ☒ No

If the answer to any of the above is "Yes," describe each source of money and state the amount you received from each during the past 12 months:

n/a

5. Do you own any cash, or do you have any money in a checking or a savings account, including any funds in prison accounts? ☐ Yes ☒ No

If your answer "Yes," state the total value of the items owned: \$ 0

6. Do you own real estate, stocks, bonds, notes, automobiles, or other valuable property (excluding ordinary household furnishings and clothing)? ☐ Yes ☒ No

If your answer "Yes," describe the property and state its approximate value:

\$ 0

7. List the persons who rely on you for support.

Name	Relationship & Age	Amount you contribute to this person's support
<u>ANDREW C. CRUSE JR.</u>	<u>SELF</u>	\$ <u>-0-</u>
		\$
		\$

I declare or certify or verify or state under penalty of perjury that the foregoing is true and correct. (28 USC § 1746; 18 USC § 1621).

Date: 10-3-17

Andrew C. Cruse Jr.
Movant's Signature

1	11/14/17	11/14/17	11/14/17
2	11/14/17	11/14/17	11/14/17
3	11/14/17	11/14/17	11/14/17
4	11/14/17	11/14/17	11/14/17

It is the policy of the Department to maintain the confidentiality of all information received from confidential sources.

On 11/14/17, the Department received information from a confidential source regarding the activities of the [redacted] group.

The information received from the confidential source indicates that the [redacted] group is currently active in the [redacted] area.

The Department is currently conducting an investigation into the activities of the [redacted] group and is seeking additional information from confidential sources.

The Department is currently conducting an investigation into the activities of the [redacted] group and is seeking additional information from confidential sources.

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On 11/14/17, the Department received information from a confidential source regarding the activities of the [redacted] group. The information received from the confidential source indicates that the [redacted] group is currently active in the [redacted] area. The Department is currently conducting an investigation into the activities of the [redacted] group and is seeking additional information from confidential sources.

On 11/14/17, the Department received information from a confidential source regarding the activities of the [redacted] group. The information received from the confidential source indicates that the [redacted] group is currently active in the [redacted] area. The Department is currently conducting an investigation into the activities of the [redacted] group and is seeking additional information from confidential sources.

CONFIDENTIAL

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI

ANDREW C. CRUSE JR.

VERSUS

Civil Action No. _____

Ms. DEPT. OF CORRECTIONS, ET AL

Memorandum in Support of Civil Action

Comes Now, ANDREW C. CRUSE JR, Pro-se, Plaintiff in the ABOVE ENTITLED AND NUMBERED Civil Action AND OFFERS his MEMORANDUM in Support of Civil Action with Exhibits AND OFFERS the Following in support of to wit:

I

Plaintiff submits 15 Exhibits supporting his claims in the ABOVE Civil Action; BACK dating GREIVENCE'S to MAY 17, 2017 in support of with Exhibit No. 5 being a RECORD FROM MEMORIAL ORTHOPEDIC PHYSICIAN CLINIC that shows part of Plaintiff's Medical treatment would in fact be a FULL REPLACEMENT OF Plaintiff's LEFT hip JOINT AND the SERIOUSNESS OF Plaintiff's Condition BEING BONE ON BONE to the LEFT hip that CAUSE'S the Plaintiff SEVER PAIN.

II

Plaintiff shows that the DEFENDANTS DENIED the OPERATION ON Plaintiff's LEFT hip AND WITHHELD ANY AND ALL post-OPERATIVE TREATMENT OR EVALUATION DUE to their "deliberate indifference to (his) SERIOUS Medical

NEEDS," *Estelle, supra*, 429 U.S. at 104, 97 S.Ct. at 291, the defendants will be liable for damages for violating his Eight Amendment Rights.

III

The Plaintiff would show, while allowing suits which ... seek personal money judgments against state officials as damages for unconstitutional deprivations...

"The fact that the allegedly unconstitutional acts of the defendants were done in the defendants' official capacities, and that the relief sought would require official action on the part of those defendants who are still members or employees of the Mississippi Dept. of Corrections, does not affect the district court's jurisdiction."

IV

A state is under a duty to provide adequate medical care to those it is punishing by incarceration, and, although the constitutional standard for adequate medical treatment has not been fully developed, *Neisser*, Is there a doctor in the joint? The Search for Constitutional Standards for Prison Health Care, 63 *VA.L. REV.* 921, 950 (1977), the Supreme Court has stated that "deliberate indifference to serious medical needs of prisoners" violates the Eight Amendment proscription against cruel and unusual punishment. *Estelle v. Gamble*, 429 U.S. 97, 103-04, 97 S.Ct. 285, 291, 50 L.Ed. 2d 251 (1976)

V

Plaintiff would show The Eighth Amendment prohibition of Cruel and Unusual punishment applies to the States pursuant to the Fourteenth Amendment. *Robinson v. California*, 370 U.S. 660, 82 S.Ct. 1417, 8 L.Ed. 2d 758 (1962).

VI

Plaintiff would show the Mississippi Department of Correction should have insurance coverage to insure any type of risk to which the State may be exposed, sovereign immunity is presumptively waived and the burden is on the State to prove that there is no coverage and to explain why there is no coverage. *Pajewski v. Perry*, 363 A.2d 429, 436 (Del. 1976)

VII

Plaintiff would show The right of a Prison inmate to reasonable access to the courts for his grievances arises out of the Fifth Amendment, *Ex Parte Hull*, 312 U.S. 546, 61 S.Ct. 640, 85 L.Ed. 1034 (1941); *Johnson v. Avery*, 393 U.S. 483, 89 S.Ct. 747, 21 L.Ed. 2d 718 (1969); *Younger v. Gilmore*, 404 U.S. 15, 92 S.Ct. 250, 30 L.Ed. 2d 142 (1971).

VIII

Plaintiff contends that C.N.P.; Nurse Angela Brown and Dr. J. Santo's treatment, or mistreatment, of him demonstrated the deliberate indifference to (his) serious medical needs that will support a Section 1983 cause of action. See *Estelle v. Gamble*, 429 U.S. 97, 104-05, 97 S.Ct. 285, 291-92, 50 L.Ed. 2d 251 (1976).

IX

Plaintiff would show that in *West v. Keve*, 571 F.2d 158, 161 (3rd Cir. 1978) in the test of *Estelle v. Gamble* - "it requires deliberate indifference on the part of prison officials and it requires the prisoners medical needs to be serious." And Plaintiff has adduced the facts that suggest deliberate indifference, prison medical personnel must be afforded at least the same latitude in diagnosing and treating injuries and illnesses that is afforded doctors in the community. See *Inmates of Allegheny County v. Pierce*, 612 F.2d 754, 762 (3d. Cir. 1979). And Plaintiff would further show that he had a rash for over 6 months on his neck that moved to his ears and got into his eyes and dried his eyes out and had to have his eyes treated by an eye doctor and Plaintiff still has this rash in his ears, neck and head without getting proper treatment and not even knowing what caused this rash, Plaintiff has over 10 documented sick calls to document this second breach of serious medical care that could in fact permanently blind Plaintiff and Plaintiff will show over 15 sick calls relating to both the rash and Plaintiff's legs and left hip and left leg even affecting Plaintiff's left ankle and foot.

ON this 3rd day of Oct. 2017 A.D.

Respectfully Submitted,
Andrew C. Cruise for #64876
 Pro-SE Plaintiff

Exhibit (1)

TO: CENTURION OF MISSISSIPPI
 MISSISSIPPI STATE PENITENTIARY
 HOSPITAL UNIT 42

JUNE 27, 2017

ATTN: MR. WILLIE KNIGHTEN, HEALTH SERVICES ADMINISTRATOR
 PARCHMAN, MS. 38738

RE: DENIAL OF MEDICAL CARE by C.N.P. ANGELA BROWN
 DELIBERATELY FALSEFYING MEDICAL RECORD AND OBSTRUCTION
 OF NEEDED MEDICAL CARE WITH DELIBERATE INDIFFERENCE
 TO A SERIOUS MEDICAL NEED AND PURPOSEFUL MALPRACTICE

MR. KNIGHTEN,

FIRST I HAVE (3) THREE FREEWORLD MEDICAL DOCTORS
 THAT OR ORTHOPEDIC PHYSICIANS SPECIALIST AND (1) ONE CERTIFIED
 NURSE PRACTITIONER THAT SAY YOUR C.N.P. ANGELA BROWN
 HAS NOT THE KNOWLEDGE TO TREAT A PERSON (ME IN GENERAL)
 WHO NEED ORTHOPEDIC SURGERY. THESE DOCTORS IN FACT TREATED
 ME FOR MY DESIRE THAT I HAD BEFORE COMING TO M.D.O.C.,
 AND BEING SENT TO PARCHMAN, MS. UNIT 42 FOR MEDICAL
 CARE WHEN NO SUCH SURGERY IS IN FACT ^{NOT} EVEN DONE AT UNIT 42.
 I HAVE BEEN TAKEN OFF MY MUCH NEEDED BREATHING TREATMENTS.
 NURSE BROWN LOOKED ME STRAIGHT IN THE FACE AND LIED TO
 ME CLAIMING SHE WAS SETTING ME UP WITH A DOCTOR'S APPOINTMENT
 AND A CAT-SCAN FOR A RECORD OF THE DAMAGE TO MY HIP.
 SHE NEVER SET ANYTHING UP EVEN WHEN I SHOWED HER
 A MEDICAL RECORD OF MY CARE AT MEMORIAL ORTHOPEDIC PHYSICIAN
 CLINIC DATED 4/21/2016 AT 12:01 CDT. SHE SAID COULD NOT BE PLACED
 IN MY MEDICAL RECORDS HERE AT M.D.O.C. I GAVE HER THE
 ADDRESS'S AND SHE CLAIMED SHE WAS ORDERING THEM. MY
 DIAGNOSIS FROM 3 OF THE TOP 10 ORTHOPEDIC PHYSICIAN SHOW
 THAT I HAVE SEVERE D.J.D. AND EVEN YOUR OWN X-RAY
 TECH² HAS SAID THIS. AFTER AROUND 5 WEEKS OF WRITING A.R.P.'S
 I WAS BROUGHT TO UNIT 42 AND HAD AN X-RAY TAKEN AND
 RECEIVED A SHOT IN MY UPPER LEFT-HIP THAT PUT ME TO
 PASSING OUT, COLD SWEATS, HEADACHES, AND TIRED NESS FROM THE
 WRONG SHOT BEING GIVE BY ANOTHER NURSE AND THIS SHOT
 DID NO GOOD. I AM USUALLY GIVEN A CORTISONE INJECTION WITH 40mg
 KENALOG / MARCAINE / XYLOCAINE IN WHICH I AM TOLD BY MEDICAL
 STAFF HAS TO BE GIVEN BY ANOTHER OFF SITE MEDICAL PROVIDER

(1)

AND IF NURSES LIKE C.N.P. A. BROWN WERE QUALIFIED TO GIVE THIS TREATMENT THEIR WOULD NOT BE A NEED FOR YOUR COMPANY TO EMPLOY AN OUTSIDE PROVIDER. NURSE A. BROWN DOES NOT KNOW WHAT SHE IS DOING FOR I HAVE HAD MY MEDICAL CONDITION FOR YEARS NURSE BROWN HAS DONE NOTHING TO HELP MY CARE ONLY TO CAUSE THE PAIN TO BE WORSE AND MYSELF TO RETAIN FLUID BECAUSE OF HER ATTITUDE THAT SHE KNOWS IT ALL AND ALL OTHER MEDICAL DOCTORS ARE DUMB AND DON'T KNOW WHAT THEY ARE DOING. I REQUEST THE IMMEDIATE REMOVAL FROM PARCHMAN AND TRANSFER TO UNIT 720 AT C.M.C.F. ARE AN OTHER FACILITY WHERE NURSE A. BROWN CANNOT INTERFERE WITH MY MEDICAL TREATMENT. I AM RETAINING FLUID AT A DANGEROUS LEVEL AND AM HOUSED IN A CONTAMINATED UNIT WITH BLACK MOLD AT ALL UNIT 29 BUILDINGS AND THE MEDICAL DEPT. IS WELL AWARE OF THIS FACT. IF YOU WILL INFACT REVIEW THE M.D.D.C. MEDICAL DEPT. NOTIFICATION OF DIAGNOSTIC TEST RESULTS NURSE ANGELA BROWN CLEARLY DOES NOT KNOW WHAT IS GOING ON WITH MY MEDICAL CARE BASED ON HER OWN EVALUATION I HAD NO FRACTURE SHE WASN'T LOOKING FOR A FRACTOR, BY HER OWN STATEMENT SHE DELIBERATELY DENIED ME PROPER MEDICAL CARE AND I HAVE HAD A WALKING CANE ORDERED 3 DIFFERANT TIMES AND NURSE BROWN SEEMS TO SEE THAT I NEVER GET THEM. NURSE ANGELA BROWN IS A DANGER TO MY HEALTH AND WELFARE. MY FAMILY WILL BE NOTIFYING THE JUSTICE DEPT. AS WELL AS THE MS. ATTORNEY GENERAL FOR A FULL CRIMINAL INVESTIGATION FOR ITS AGAINST THE LAW TO CAUSE A PERSON PHYSICAL PAIN AND TAKE A CHANCE ON KILLING THEM THREW NEGLIGENCE AND MEDICAL NEGLECT. A CIVIL ACTION WILL PROBEY BE FILED IN THIS MATTER AS WELL AS THE U.S. JUSTICE DEPT. AND ATTORNEY GENERAL WILL BE GETTING A HANDWRITTEN COPY OF THIS GRIEVENCE.

Respectfully Yours,

Andrew C. Cruse Jr.

ANDREW C. CRUSE JR. #64876
M.S.P. UNIT 29-F
B-ZONE BED 65
PARCHMAN, MS. 38738

(2)

Exhibit (2)



MISSISSIPPI STATE PENITENTIARY

Willie Knighten, Health Services Administrator

A handwritten signature in black ink, appearing to be 'W. Knighten', written over the typed name.

Date: June 13, 2017

TO: Mr. Andrew Cruse #64876

U29F

RE: Request to be seen

65

Mr. Cruse,

I have requested an appointment for you.

1011171032

1011171032

1011171032

1011171032

1011171032

Exhibit (3)



**STATE OF MISSISSIPPI
DEPARTMENT OF CORRECTIONS
Pelicia Hall
COMMISSIONER**

**Earnest Lee, Superintendent
Mississippi State Penitentiary**

**Post Office Box 1057
Parchman, Mississippi 38738
(662)745-6611**

June 27, 2017

**Andrew Cruse #64876
Unit 29, Bldg. F Zone-B, Bed 0065
Parchman, MS 38738**

RE: Response to your Correspondence

Offender Cruse, Warden Morris asked that I respond to your letter you forwarded to Commissioner Pelicia Hall's office regarding your complaints concerning the amount of food being served.

Offender Cruse, as you are aware the kitchen was closed at unit 29 for remodeling in July, 2016. According to Mr. Davis, Food Director, the Gym was utilized for serving of the food after being approved by the Inspector from the Health Department. When the kitchen was closed Aramark was forced to change the menu to serve sandwiches once a day, with that being said the new kitchen was approved and is now open at Unit 29.

The food is being prepared at the kitchen and the menu has been changed taking the sandwiches off of most days. Occasionally Aramark will serve sandwiches but for the most part you should be receiving hot meals three times per day. Aramark will change the trays from being Styrofoam trays to the insulated trays. Mr. Davis, Food Director have addressed the portion sizes including the cookies with Aramark and this should change as well. Staff is monitoring these allegations closely and will make the necessary changes if needed.

I trust that this satisfied your concerns. If you have any other concerns please address them with your assigned case manager.

Sincerely,

A handwritten signature in cursive script, appearing to read "Verlana Flagg".

**Verlana Flagg
Deputy Warden/ Area I**

**Cc: Warden Timothy Morris
File**



HAND WRITTEN
COPY

Exhibit (4)

INMATE REQUEST FORM

FOR

& CASE MANAGER SERVICES

INMATE NAME ANDREW C. CRUSE JR.MDOC # 64876DATE: June 23, 2017FACILITY M.S.P.UNIT 29-F B-ZONE Bed 65

WORK SUPERVISOR NAME _____

UNIT SECURITY SIGNATURE _____

CASE MANAGER REQUESTED CARTER

PURPOSE OF REQUEST NEED INDIGENT POSTCARD AND MEDICAL TRANSFER
to Unit 720 at C.M.C.F. NURSE A. BROWN SAID CASE MANAGERS
ARE LIEING ABOUT MY TRANSFER FOR Im Not getting ANY OPERATION
AS STATED IN MY FILE. I WANT A TRANSFER WITHOUT HAVING TO TAKE
THIS MATTER TO UNNECESSARY LEVELS.

RECEIVED BY DATE: _____

RECEIVED BY (CASE MANAGER) _____

THE UNITED STATES OF AMERICA

VS.

JOHN DOE

Defendant

Case No. 17-1234

FILED

WHEREFORE, the undersigned respectfully requests the Court to grant the Defendant's motion to dismiss the Complaint with prejudice, and to award the Defendant's costs and fees.

Very truly yours,

JOHN DOE

By: _____

Exhibit (5) (1)

Memorial

Physician Clinics

Memorial Orthopedic Physician Clinic

2781 C.T. Switzer Drive, Suite 402

Biloxi, Mississippi 39531

(228)388-0949 (office)

(228)575-2636 (office)

(228)385-1595 (fax)

Arthur Black, MD

Judith Smith, MD

Dudley Burwell, MD

Kelly Cowan, FNP-C

Brian Caswell, NP

Mary Beth Symmes, CFNP

Matthew Sarb, DO

Tricia Putnam, FNP-C

Work/School Release

Date: 4/2/16

To whom it may concern:

Andrew Cruse DOB was seen in my office on 4/2/16Diagnosis: Severe OSD (L) hip, (L) GT buritis

Patient is out of work/school starting: _____

Patient can return to work/school as of: _____

Upon return to work/school, level of activity should be:

- Normal Duty
- Restrictions/Light duty (see below)

Comments: Mr. Cruse was given a cortisone inj. with 40mg Kenalog / Marcaine / Xylocaine. X-ray revealed severe OSD (L) hip. A THA (total hip arthroplasty) was rec. Please eval for a THA and call office to schedule if approved.

Physician Signature: Mary Beth Symmes, CFNP

↑ Ibuprofen to 800mg bid-tid and Vic Celebrex. MBG

Cruse/CMA/000438

0

Exhibit 5 (2)

12288674763

4/2 2016 12:03:16 PM PAGE 3004 Fax Server



Memorial Orthopaedic Surgeons Biloxi

2781 C. T. Switzer Dr
Suite 402
Biloxi, MS 39531-

Patient: **Cruse Jr, Andrew Clinton**
DOB/Age/Sex: 55 years Male
MRN: 0000416275
FIN: 2001625186
Location: OrthoSurgBiloxi; 09 Exam

Admit: 4/21/2016
Disch:
Admitting: Symmes, Mary NP
Attending: Symmes, Mary NP

Office/Clinic Notes

Document Type:
Service Date/Time:
Result Status:
Perform Information:
Sign Information:

Office/Clinic Note-Physician
4/21/2016 10:22 CDT
Auth (Verified)
Symmes, Mary NP (4/21/2016 11:02 CDT)
Symmes, Mary NP (4/21/2016 11:02 CDT)

Chief Complaint

Left leg/back pain x months, with no injury he is having burning sensation and swelling down leg to ankle.

History of Present Illness

Mr. Cruse is a 55-year-old male who comes in today with chief complaint of left leg pain and hip pain. He does report he has a burning sensation into his left leg that goes from his thigh at his knee and occasionally to his left ankle. He is accompanied by a police officer from the Harrison County Jail as he is an inmate. He denies any injury. He states that he has been taking some Zanaflex with no help. He does report occasional swelling into his ankles. He also has taken 600 mg of Ibuprofen as well as Celebrex with minimal relief.

Review of Systems

Review of Systems
Constitutional: No fever, + chills.
Respiratory: No shortness of breath, No cough, No wheezing.
Cardiovascular: No chest pain, No palpitations.
Gastrointestinal: + nausea, No vomiting, No diarrhea, + heartburn.
Genitourinary: No dysuria, No urinary frequency, No urinary urgency.
Musculoskeletal: + joint pain, + muscle pain.

Physical ExamVitals & Measurements

HT: 168 cm HT: 168 cm WT: 89.2 kg WT: 89.2 kg BMI: 31.6

Physical Exam:

General: Normal
HEENT: Normocephalic, atraumatic
Neck: Supple. No JVD
Neurological: No focal deficits noted
Musculoskeletal: No peripheral edema
Extremities: Patient ambulates unassisted. Left hip: Moderate tenderness to palpation to the left greater trochanteric bursa. Range of motion to the left hip with 0° of internal rotation, less than 10° of external rotation, and approximately 95° of forward flexion. Range of motion reproduces pain into the groin and into the anterior thigh and knee. 1+ edema to the left lower extremity. Motor and sensory is intact distally.

Metric Conversions

Conversion Kg to Pounds: 196.65 (04/21/16 09:56:49)

Problem List/Past Medical HistoryOngoing

Chronic hepatitis C
COPD
History of drug abuse
HTN (hypertension)
Increased appetite
Non Hodgkin's lymphoma
Noncompliance

Historical

No qualifying data

Procedure/Surgical History

Ems (03/03/2016)
ESOPHAGEAL MOTILITY STUDY
W/INTERP&RPT (03/03/2016)
GASTROESOPHAG REFLX TEST
W/INTRLUML IMPED ELTRD
(03/03/2016)
Reflux Impedance Study (03/03/2016)
Colonoscopy (02/23/2016)
DIAGNOSTIC COLONOSCOPY
(02/23/2016)
EGD TRANSORAL BIOPSY
SINGLE/MULTIPLE (02/23/2016)
EGD With Bx (02/23/2016)
Biopsy
GSW (gunshot wound).

MedicationsHome

lisinopril-hydrochlorothiazide 20 mg-12.5 mg oral tablet, 1 tab, Oral, BID
omeprazole, 20 mg, Oral, BID
tizanidine 4 mg oral capsule, 4 mg, 1 cap, Oral, TID
Tylenol, 500 mg, Oral, BID
Ventolin HFA, 2 puff, Inhaler, q4h, PRN

Report Request ID: 19691525

Copy To: Overall, Rena L

Print Date/Time: 4/21/2016 12:01 CDT

Cruse/CMA/000439

Exhibit A - [illegible]

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Exhibit 5 (3)

12288674763

4/1 2016 12:03:16 PM PAGE 4 2004 Fax Server

Memorial Orthopaedic Surgeons Biloxi

Patient Name: Cruse Jr, Andrew Clinton
DOB:

FIN: 2001625186
MRN: 0000416275

Office/Clinic Notes

Conversion cm to Inches: 66.14 (04/21/16 09:56:49)

Assessment/Plan/Goals

Greater trochanteric bursitis of left hip

Left hip pain

Ordered:

XR Hip Complete Left (Routine), 04/21/16 10:09:13 CDT, Routine, Stop date 04/21/16 10:09:13 CDT, Reason: Pain in joint, hip, pelvis or thigh, Transport Mode: Wheelchair, Left hip pain, 89.2 kg

Primary osteoarthritis of left hip

Recommendations: At this time I did recommend a cortisone injection into the hip bursa for pain relief. I did advise him the results of his x-ray and discussed treatment options which would include a total hip arthroplasty. These recommendations were documented and given to patient and the officer to return to the Harrison County jail. I also recommended to increase the ibuprofen to 800 mg 1 twice a day to 3 times a day. A prescription was written and given to the officer accompanied with him. He will return to the clinic as needed.

Zentac 150 oral tablet, 150 mg, 1 tab,
Oral, HS, 3 refills

Allergies

penicillin

Social HistoryAlcohol

Past, Beer, 3-5 times per week

Substance Abuse

Current, Cocaine, Marijuana, Daily, IV
drug-use: No.

Tobacco

Former smoker

Family History

COPD: Father.

Cardiovascular disease.: Father.

Diabetes mellitus: Father.

Hypertension: Father.

Unknown: Mother.

Diagnostic Results

X-ray AP and lateral left hip:

Reveal an adult with severe degenerative joint disease of the left hip joint. Large inferior osteophyte noted. Bone-on-bone contact to the superior joint.

Electronically Signed on 04/21/2016 11:02 AM CDT

Symmes, Mary NP

Document Type:
Service Date/Time:
Result Status:
Perform Information:
Sign Information:

Ambulatory Clinical Summary
4/21/2016 11:02 CDT
Auth (Verified)
Symmes, Mary NP (4/21/2016 11:02 CDT)

*** The external document entitled Visit Summary is not supported. ***

Report Request ID: 19691525

Print Date/Time: 4/21/2016 12:01 CDT

Cruse/CMA/000440

Exhibit 5(4)

Medications not sent electronically

acetaminophen (Tylenol) 500 mg, Oral, 2 times a day, Refills: 0

albuterol (Ventolin HFA) 2 puff, Inhalation, every 4 hours, As Needed, as needed for wheezing, Refills: 0

ibuprofen (ibuprofen 600 mg oral tablet) 1 tab, Oral, 2 times a day, Refills: 0

lisinopril-hydrochlorothiazide (lisinopril-hydrochlorothiazide 20 mg-12.5 mg oral tablet) 1 tab, Oral, 2 times a day, Refills: 0

omeprazole 20 mg, Oral, 2 times a day, Refills: 0

tiZANidine (tiZANidine 4 mg oral capsule) 1 cap, Oral, 3 times a day, Refills: 0

Final Medication List:

acetaminophen (Tylenol) 500 mg, Oral, 2 times a day, Refills: 0

albuterol (Ventolin HFA) 2 puff, Inhalation, every 4 hours, As Needed, as needed for wheezing, Refills: 0 *TOOK OFF*

ibuprofen (ibuprofen 600 mg oral tablet) 1 tab, Oral, 2 times a day, Refills: 0

lisinopril-hydrochlorothiazide (lisinopril-hydrochlorothiazide 20 mg-12.5 mg oral tablet) 1 tab, Oral, 2 times a day, Refills: 0

omeprazole 20 mg, Oral, 2 times a day, Refills: 0 *GENERIC FOR PRILOSEC*

tiZANidine (tiZANidine 4 mg oral capsule) 1 cap, Oral, 3 times a day, Refills: 0 *- TOOK OFF*

ALSO WAS CHANGED FROM PRILOSEC TO NEXUM AND put BACK ON THE PRILOSEC by M.D.O.C. NURSE PRACTITIONER BECAUSE ITS CHEAPER.

Comment:

Mississippi Department of Corrections **Exhibit 6****Medical Service Request Form****Section 1. To be completed by the inmate**

Type of Request (mark with "x")

☒ Medical ☐ Dental ☐ Psych ☐ Medication Refill

Date & Time Stamp-Received by Medical

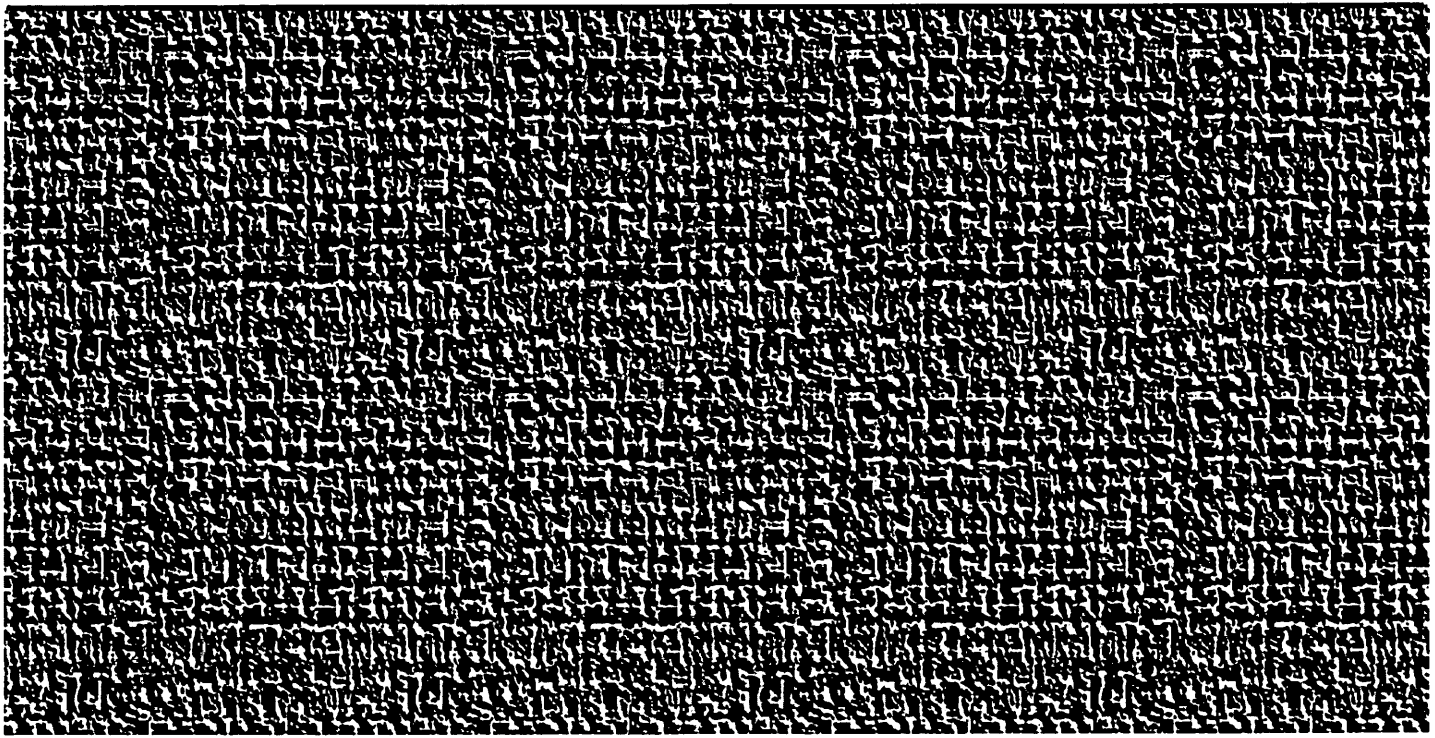
Inmate Name ANDREW C. CRUSE JR. MDOC Number 64876Date JUNE 10, 2017 Location (Facility, Bldg, Zone) 29-F B-ZONE Bed 65

Service Requested: (To better serve you, please be as specific as possible)

NEED MY CORTIZONE INJECTION IN MY LEFT HIP THAT I HAVE BEEN
DENIED SINCE MY ARRIVAL AT UNIT 29 ON APRIL 26, 2017

I understand a Co-Pay will be applied, as noted in the Inmate Handbook and MDOC policy. My refusing to be seen for a scheduled visit will result in an RVR.

Andrew C. Cruse Jr. 64876
 Inmate Signature MDOC Number

**Section 3. Co-Pay (Mark appropriate box with X)**

☐ Sick Call Charge (Inmate initiated non-emergency visit for Medical, Dental, or Mental Health \$6.00)

☐ No show for Sick Call Visit (\$6.00)

☐ No show for Chronic Care Clinic (\$6.00)

☐ No show for On-Site Specialists Visit (\$10.00)

☐ No show for Off Site Visit (\$10.00)

☒ No Charge - Reason for no charge MC

Andrew C. Cruse Jr.
 Inmate or Witness Signature

Inmate MDOC#

Medical Personnel Printed Name & Initials

Date of Service 6/10/17**UPON COMPLETION of SECTIONS 1, 2, & 3: DISTRIBUTE AS FOLLOWS:**

White - Medical Records; Green-Inmate

Rev. 10/8/15



Exhibit 7

STATE OF MISSISSIPPI
DEPARTMENT OF CORRECTIONS
PELICIA HALL
COMMISSIONER

Earnest Lee, Superintendent
Mississippi State Penitentiary

Post Office Box 1057
Parchman, Mississippi 38738
(662)745-6611

May 17, 2017

Inmate Andrew Cruse, Jr., #64876
Unit 29-F

RE: Your Request For Administrative Remedy

Your most recent Request for Administrative Remedy which concerns seeing a bone doctor/extreme pain, has been received; however, it is noted that you have a previously accepted ARP or ARPs which is/are presently under review. Your most recent request for Administrative Remedy is being set aside for handling in due course. If you wish to have your request handled now through the Administrative Remedy Program, you may withdraw (in writing) all pending ARPs.

Sincerely,

A handwritten signature in black ink, appearing to read "R. Pennington".

Richard Pennington, Director
Administrative Remedy Program

RP/jma

Pc: File

Exhibit 8



Handwritten Copy
to CASEMANAGER ORR
UNIT 30-A
Pachman, Ms. 38738

INMATE REQUEST FORM

FOR

CASE MANAGER SERVICES

INMATE NAME ANDREW CRUSE

MDOC # 64876

DATE: Aug. 11, 2017

FACILITY M.S.P.

UNIT 30-A B-ZONE BED 140

WORK SUPERVISOR NAME _____

UNIT SECURITY SIGNATURE _____

CASE MANAGER REQUESTED ANY (ORR)

PURPOSE OF REQUEST Im not in program AND AM MEDICAL CLASS
4 NEED TRANSFER TO C.M.C.F. AS SOON AS POSSIBLE TO MUCH
Bull going on in this Building DON'T FEEL SAFE.

RECEIVED BY DATE: _____

RECEIVED BY (CASE MANAGER) _____

Exhibit #9

PRISON RAPE ELIMINATION ACT OF 2003

Prison Rape Elimination Act of 2003--The federal law establishing a zero tolerance approach to prison rape which makes identification, prosecution and elimination of prison rape a top priority of state correctional agencies across the nation.

It is the policy of the Mississippi Department of Corrections (MDOC) to maintain a safe and secure environment for all offenders and to maintain zero tolerance for prison rape and other forms of sexual assault in all MDOC facilities.

If an offender is being pressured by another offender for money, property, or sexual favors, the offender should immediately contact the Unit Case Manager, Unit Administrator, or any staff member with whom they feel comfortable.

Sexual misconduct can be defined as:

- Requests for sexual favors by another offender or staff member, agent or volunteers of the corrections department.
- Any sexual advance by another offender, staff member, agent or volunteer of the correction department and/or
- Verbal or physical conduct of a sexual nature in prison toward a prisoner by another prisoner, staff member, agent or volunteer of a correction department.

Examples of Sexual Misconduct are:

- A prison guard walks in on you while you are changing your clothes and tells you that you are "what he likes."
- The food service contract employee tells you he can get you cigarettes if you "flash" him.
- You fall in love with a staff member and agree to get married as soon as you are released. You begin a sexual relationship with her while in prison.
- The chaplain comforts you when you receive bad news from home. She keeps asking you to come by and see her even when nothing is wrong. She begins to write you letters telling you how much she loves you.
- You were an exotic dancer before being incarcerated. Three officers on the midnight shift pay you to dance for them.
- A correctional officer locks you in a storage room and rapes you.

Sexual misconduct does not have to be sex, it can include:

- Touching
- Kissing
- Inappropriate body or cavity searches not justified by a legitimate institution security need
- Inappropriate comments about your personal appearance
- Language of a sexual nature
- Another offender or staff member showing you his or her body or requiring you to show your body to him or her

Rape and Sexual Assault

If you have been raped or sexually assaulted, you must get medical attention immediately. You should request to be taken to a hospital where a “rape-kit” can be performed. During a rape-kit examination, the doctor performs an examination and takes samples of hair, semen and other fluids which the perpetrator may have left on your body during the assault. These samples often provide crucial evidence in proving a sexual assault occurred and in identifying the perpetrator. That is why it is especially important that you have a rape kit in a hospital, where the medical staff is accustomed to performing it.

Although it may be difficult, it is important that you do not shower after the assault. Showering may wash off the hair, semen and other evidence. Also, bring the clothes and underwear that you had on at the time of the assault to the hospital with you along with any other items that may have come into contact with the perpetrator’s bodily fluids—blood, semen or saliva. This includes any towels the perpetrator may have used to wipe himself, herself or you, and condoms if they were worn during the assault. The doctors may be able to take hair and semen samples from all of these items. Technology is such that even small traces of blood, semen, vaginal fluids or saliva can yield information that can identify the source of these fluids.

If you have been raped or sexually assaulted, you should always be tested for pregnancy, HIV and other sexually transmitted diseases. Even if you test negative for HIV you should request that you be re-tested six months later, since it may take that long for a test to detect the HIV antibodies in your blood.

Sexually-Transmitted Diseases

A sexually-transmitted disease, if left untreated, can have very serious consequences. It can cause sterility or otherwise negatively affect your health. HIV infection, for which there is no cure, decrease the body’s ability to fight infection and makes a person susceptible to a large number of illnesses. While there is no cure for HIV, there are new medical treatments that can greatly increase both the quality and length of the lives of those infected with the proper medical care can, in some cases, cure a sexually-transmitted disease. If no cure is available, it can often reduce the effects of the disease. Therefore, it is very important to get medical care as soon as possible.

Counseling

If you have been subject to sexual misconduct, you may want to seek professional counseling or mental health advice whether or not you decide to seek medical help for injuries resulting from the conduct. Many prisons offer mental health services for victims of sexual abuse, and some offer counseling sessions. There are also community-based counseling services such as local rape crisis centers. If you cannot obtain mental health services, talk about your experiences with a trusted friend, relative or spiritual advisor. Talking with someone helps you explore your feelings about the incident and is an important step in gaining control over your life.

Exhibit 10(A)



**STATE OF MISSISSIPPI
DEPARTMENT OF CORRECTIONS
PELICIA HALL
COMMISSIONER**

**Marshal Turner, Interim Superintendent
Mississippi State Penitentiary**

**Post Office Box 1057
Parchman, Mississippi 38738
(662)745-6611**

September 26, 2017

**Inmate: ANDREW CRUSE #64876
Unit: 30A**

RE: Your Request For Administrative Remedy

Your most recent Request for Administrative Remedy which concerns a request to move from unit 30, has been received; however, it is noted that you have a previously accepted ARP or ARPs which is/are presently under review. Your most recent request for Administrative Remedy is being set aside for handling in due course. If you wish to have your request handled now through the Administrative Remedy Program, you may withdraw (in writing) all pending ARPs.

Sincerely,

**Richard Pennington, Director
Administrative Remedy Program**

RP/DMM

Pc: File

To: Mr. Ricard Pennington - Director
Administrative Remedy Program
P.O. Box 1057
Parchman, Ms. 38738

Sept. 27, 2017

RE: A.R.P. which CONCERNS moving From Unit 30

Mr. Pennington,

I do NOT wish to drop ANY A.R.P.'s For your department takes all the time it can to probing the ANSWER to AN A.R.P. I would show you the FACT I HAVE showed that I HAVE BEEN PLACED in danger AND you failing to directly see this A.R.P. puts you in a position you will HAVE to explain to the courts when My life HAS BEEN placed in direct HARMS way AND I HAVE Had direct threats on My life by Prisoners and M.S.P. staff members. I HAVE EVEN WRITTEN to the Commissioner and deputy Commissioner as well as the Attorney General of Ms. About the NEED For me to be moved From the Ms. State Penitentiary at Parchman, Ms. For M.D.O.C. staff HAVE Had my life PLACED in DANGER OF BEING BEAT to DEATH by Gang Member's HERE at Unit 30 as a whole.

Respectfully Yours,
Andrew C. Cruse Jr.

Andrew C. Cruse Jr. #64876
Unit 30-A B-ZONE Bed 140
Parchman, Ms. 38738

Exhibit (11)



U.S. Department of Justice
Civil Rights Division

168-40-0/611482

Special Litigation Section - PHB
950 Pennsylvania Avenue, NW
Washington, DC 20530

August 29, 2017

Andrew Cruse
#64876 Unit 29-F B-Zone Bed 65
Mississippi State Penitentiary
590 Parchman 40 Road
Parchman, MS 38738

Dear Mr. Cruse:

Thank you for your letter. The Special Litigation Section relies on information from community members to identify civil rights violations. Each week, we receive hundreds of reports of potential violations. We collect and analyze this information to help us select cases, and we may also use this information as evidence in an existing case. We will review your letter to decide whether it is necessary to contact you for additional information. We do not have the resources to follow-up on every letter.

The Special Litigation Section is one of several Sections in the Civil Rights Division. We work to protect civil rights in four areas: 1) the rights of people in state or local institutions, including: jails, prisons, juvenile detention facilities, and health care facilities for persons with disabilities (including whether persons in health care facilities should be getting services in the community instead); 2) the rights of people who interact with state or local police or sheriffs' departments; 3) the rights of people to have safe access to reproductive health care clinics or religious institutions; and 4) the rights of people to practice their religion in state and local institutions. We are not authorized to address issues with federal facilities or federal officials.

If your concern is not within this Section's area of work, you may wish to consult the Civil Rights Division web page to find the correct section: www.justice.gov/crt.

The Special Litigation Section only handles cases that arise from widespread problems that affect groups of people. We do not assist with individual problems. We cannot help you recover damages or any personal relief. We cannot assist in criminal cases, including wrongful convictions, appeals or sentencing.

If you have an individual problem or seek compensation or some other form of personal relief, you may wish to consult a private attorney or a non-profit or legal aid organization for assistance. There are only two areas in which we can assist an individual or address a single incident: 1) we may be able to assist you if you are being prevented from practicing your religion in a prison, jail, mental hospital or other facility operated by or for a state or local government; 2) we may be able to assist you if you have experienced force or the threat of force when accessing a reproductive health care facility or religious institution.

For more information about the Special Litigation Section or the work we do, please visit our web page:
www.justice.gov/crt/about/spl/.

Sincerely,

/s/

Steven H. Rosenbaum
Section Chief
Special Litigation Section

Received Sept. 12, 2017
Unit 30-A Parshman

Exhibit 12

TO: ARAMARK Food SERVICES
DIRECTOR - Unit 29 Kitchen
P.O. Box 10
PARCHMAN, Ms. 38738

Sept. 26, 2017

RE: UNSANITARY CONDITIONS OF Unit 30 Kitchen, and
DENIAL OF MEDICAL DIET

To Whom This may CONCERN,

It is a FACT that SEWAGE is BACKING UP in the FREEZER/COOLER and other AREA's of the Unit 30 Kitchen. It is my UNDERSTANDING the Health Dept. Closed it For REPAIRS and REMODLEING but it is inhuman to KEEP MILK and other Food Products in UNSANITARY CONDITIONS KNOWING THESE FACTS and NO ONE ADDRESSING this VERY SERIOUS HEALTH ISSUE. Your STAFF MEMBERS ACT with deliberate indifference to AN UNREASONABLE RISK OF SERIOUS HARM and ~~is~~ DEPRIVING ME OF A BASIC HUMAN NEED. I HAVE BEEN PLACED ON A SPECIAL CARDIC DIET with ALLERGY's to OATMEAL, BOLONA, SALIMMA, and Hot Dogs and I AM FORCED to go HUNGRY For EATING these items MAKE ME MEDICALLY SICK. MANY MORNINGS the TRAYS HAVE OATMEAL, BOLONA, BREAD and JELLY with HALF COOKED POTATOES I CAN ONLY EAT the BISCUIT or BREAD and JELLY For I HAVE NO TEETH to ~~swallow~~ ^{CHEW} my Food up and HAVE to SWALLOW most of It Whole For I HAVE VERY SERIOUS MEDICAL STOMACH

Problems and can not properly digest my Food like other Prisoners. My Medical Diet Has been Ordered 3 different times by Nurse Goldin and again the first of last week by Dr. J. Santo's and your Employee's still refuse to prepare and send my Medical Diet tray. One of your Employee's told me that NO Diet Trays at all are sent to Unit 30 from the Unit 29 Kitchen, but yet your staff can steal food items and in return let kitchen inmate workers steal, carry away, and sell all food items to prisoners at Unit 29 and Unit 30 (all buildings). Prisons are required to serve food that is nutritious and prepared under clean conditions. See *Robles v. Coughlin*, 725 F.2d 12 (2d Cir 1983). Denial of Medical Diets for over 3½ weeks can be a deprivation of a life necessity, violating the Eight Amendment. See *Foster v. Runnels*, 554 F.3d 807 (9th Cir. 2009). Prisons must provide a special diet for prisoners whose health requires it. Your company was hired for this purpose. This is my 5th Grievance

Respectfully Yours,
 Andrew C. Cruise Jr. #64876
 M.S.P. Unit 30-A
 B-ZONE Bed 140
 Parchman, Ms. 38738

Exhibit 15

TO: Superintendent

JUNE 7, 2017

M.S.P.

PARCHMAN, MS. 38738

RE: UNCONSTITUTIONAL HOUSING OF ME BEING
A MEDICAL CLASS 3 PRISONER

TO WHOM THIS CONCERNS,

I WAS ORIGINALLY CLASSIFIED TO BE HOUSED AT UNIT 720 AT C.M.C.F. AND ON WEDNESDAY APRIL 26, 2017 I WAS TRANSFERRED TO THE M.S.P. AT PARCHMAN AND SENT TO UNIT 29-E BUILDING AND THE NEXT WEDNESDAY, MAY 3, 2017 I WAS TRANSFERRED TO UNIT 29-F BUILDING. I SUFFER FROM CHRONIC C.O.P.D., CONGESTIVE HEART FAILURE, ASTHMA, HIGH BLOOD PRESSURE AND (2) TWO FREE WORLD DOCTORS HAVE GIVEN ME CARE FOR A BONE JOINT DISEASE THAT MAKES ME REQUIRE A FULL HIP REPLACEMENT OF MY LEFT HIP. I AM HOUSED IN A FACILITY THAT HAS NO HANDICAP ACCESSIBLE SHOWERS THAT IN FACT HAVE LEAKING ROOFS AND BLACK MOLD THAT HAVE BEEN IN THEM FOR YEARS AND I AM HOUSED IN A FACILITY THAT DENIES ME MY BREATHING TREATMENT I AM IN NEED OF AND HAVE HAD DAILY FOR YEARS, EVEN IN THE CO. JAIL BEFORE MY TRANSFER FROM THE JAIL TO PRISON. MY INHALER WAS CHANGED KNOWING THAT IT WOULD CAUSE MY BONE JOINT DISEASE TO PROGRESS AS CONFIRMED BY THE MANUFACTURER OF ALVESCO. THE

(1)

Copied and Mailed
Hond May

MANUFACTURE SUNOVION PHARMACEUTICALS, INC.; MARLBOROUGH MA 01752 WILL CONFIRM THE USE OF THIS PRODUCT WILL IN FACT INCREASE MY BONE JOINT DISEASE AND INCREASES THE RISK OF BONE STRENGTH, IT CAUSES JOINT PAIN (ARTHRALGIA) AS WELL AS CAUSE ACUTE ASTHMA EPISODES AND THIS IS MEDICAL MALPRACTICE AS SITED IN JONES V. UNITED STATES, 91 F.3d 623 (3d Cir. 1996) I CAN WHEN A CIVIL ACTION AS SITED IN DUNNE V. U.S., 989 F.2d 502 (7th Cir. 1993). I HAVE A RIGHT IN WHICH THE EIGHT AMEND. FORBIDS "CRUEL AND UNUSUAL PUNISHMENT, AS WELL AS UNSANITARY, DANGEROUS AND OVERLY RESTRICTED CONDITIONS AS WELL AS MY RIGHT TO PROPER MEDICAL CARE IN PRISON. IT IS A WELL KNOWN FACT BY MISSISSIPPI DEPARTMENT OF CORRECTIONS STAFF THAT ALL PRISONER'S HOUSED AT UNIT 29 (ALL BUILDINGS); ARE IN FACT HOUSING ME AND OTHER PRISONERS IN CONDEMNED BUILDING THAT DO NOT PASS HEALTH ARE FIRE CODES AND ARE IN FACT HAZARDOUS TO MY HEALTH AS WELL AS THE HEALTH OF OTHER PRISONERS. I REQUEST TO BE TRANSFERRED BACK TO C.M.C.F. UNIT 720 WHERE I CAN IN FACT RECEIVE PROPER MEDICAL CARE AND BE HOUSED IN A BUILDING THAT PASSES STATE FIRE AND HEALTH CODES.

Respectfully Yours,
 Andrew C. Cruse Jr.

ANDREW C. CRUSE JR. #64876

M.S.P. Unit 29-F

B-ZONE BED 65

PARCHMAN, MS. 38738

Exhibit 14

TO: U.S. Dept. of Justice, Civil Rights Division
Special Litigation Section
950 PENNSYLVANIA AVE.; N.W.
Washington, D.C. 20530

JUNE 9, 2017

RE: CONDEMNED, UNSANITARY Building with FIRE AND HEALTH
Violations that ENDANGER the LIFE'S OF THE PRISONER'S
AT the MISSISSIPPI STATE PENITENTIARY UNIT 29 ALL
Building AT PARCHMAN, MS. 38738

TO WHOM THIS CONCERNS,

I AM A MEDICAL PRISONER IN MEDICAL CLASS 3 AND
I AM HOUSED IN AN UNCONSTITUTIONAL MANNER AND THIS ^{MY} PRESENT
Rights is BEING ADDRESSED ~~THROUGH~~ THROUGH THE BILL OF RIGHTS
AMENDMENT I my right to petition the GOVERNMENT FOR A
REDRESS OF GRIEVANCES DENIED TO BE ADDRESSED BY THE
MISSISSIPPI DEPT. OF CORRECTIONS; AND MY AMEND. #IX TO
THE ENUMERATION IN THE CONSTITUTION, OF CERTAIN RIGHT, SHALL
NOT BE CONSTRUED TO DENY OR DISPARAGE OTHERS RETAINED BY
THE PEOPLE. ALSO I HAVE AN EIGHT AMEND. RIGHT IN WHICH
FORBIDS "CRUEL AND UNUSUAL PUNISHMENT AS WELL AS UNSANITARY
DANGEROUS OR OVERLY RESTRICTIVE CONDITIONS. AND THE
EMPLOYEES OF THE MISSISSIPPI DEPT. OF CORRECTIONS ARE
MALICIOUSLY AND SADISTICALLY CAUSING ME BODILY HARM.
THE EMPLOYEES AT THE MISSISSIPPI DEPT. OF CORRECTIONS ACT
DESPITE NOTING THE SERIOUSLY INAPPROPRIATE BEHAVIOR OF
COVERING UP CRIMINAL ACTS ON A DAILY BASIS AT THE
MISSISSIPPI STATE PENITENTIARY AT PARCHMAN, MS.

PRISON OFFICIALS ACTED WITH DELIBERATE INDIFFERENCE TO A PRISON CONDITION THAT EXPOSED ME TO AN UNREASONABLE RISK OF SERIOUS HARM AND DEPRIVED ME OF A BASIC AND CONSTITUTIONAL NEED. THE CONDITIONS AT UNIT 29 ARE SO HARSH THEY VIOLATE THE CONSTITUTION AND NO ONE DOES ANYTHING TO CORRECT THEM. I AM ENTITLED TO SANITARY TOILET FACILITIES AS CITED IN *DESRAIN V. UPHOFF*, 264 F.3d 965 (10th Cir. 2001). THE BLACK MOLD AND LEAKING ROOF IN THE BUILDING (29-F) HOUSED IN VIOLATE MY RIGHTS AS CITED IN *TALAI V. WHITE*, 403 F.3d 423 (6th Cir. 2005), AND *ALVARADO V. LITSCHER*, 267 F.3d 648 (7th Cir. 2001).

THE CONDITIONS ARE SO OBVIOUS AND M.D.O.C. OFFICIALS ARE PURPOSEFULLY IGNORING IT AND THE PROBLEMS IN THIS COMPLAINT HAVE BEEN BROUGHT TO THEIR ATTENTION; EVEN (FEMALE) WARDEN COX AT UNIT 29 HERE AT PARCHMAN, MS. ALSO THE EIGHT AMENDMENT SAYS PRISON OFFICIALS MUST PROVIDE ME WITH MEDICAL CARE AND NOT ACT WITH DELIBERATE INDIFFERENCE TO A SERIOUS MEDICAL NEED IN WHICH THEY ARE DOING TO ME HERE AT UNIT 29-F. FAILURE TO TREAT MY MEDICAL CONDITION COULD RESULT IN FURTHER SIGNIFICANT INJURY, AND IS INFLECTING ME WITH UNNECESSARY AND WANTON INFLECTION OF PAIN. SEE *ESTELLE* 429 U.S. AT 104, AND *JETT V. PENNER*, 439 F.3d 1091, 1096 (9th Cir. 2006). I IN FACT HAVE CHRONIC CONDITIONS THAT ARE SERIOUS MEDICAL NEEDS AND DESERVE MEDICAL ATTENTION AND CARE. SEE *BROCK V. WRIGHT*, 315 F.3d 158 (2^d Cir. 2003). IT IS ALSO OBVIOUS EVEN TO A LAYPERSON THAT I AM IN NEED OF HOSPITALIZATION FOR MY CRITICAL MEDICAL CARE AND NEED. SEE *MCKRAVEN V. SANDERS*, 577 F.3d 974 (8th Cir. 2009).

THEY REFUSE ME LEGAL (I.L.A.P.) SERVICES TO KEEP ME FROM FILING legal documents to the courts and privileged legal Agency's such as F.B.I. and Civil Rights groups in which is my 6th Amend. Right. SEE BENJAMIN V. KERIK, 102 F. Supp. 2d 157 (S.D.N.Y. 2000); AND ALSO SEE LEWIS V. CASEY, 518 U.S. 343 (1996). I will now go into my medical conditions, in which I HAVE CHRONIC C.O.P.D, CONGESTIVE HEART FAILURE, High Blood Pressure, Asthma, AND BONE JOINT DISEASE THAT CAUSE'S MY BONE TO EAT AWAY AT THE JOINT AND (2) TWO Medical Specialist C.N.P. MARY BETH SEMMS, AND JOEL TUCKER, M.D. Both say I NEED A Full Hip Replacement OF MY LEFT Hip AND both ARE FROM GULFPORT, MS. AND DR. JOEL TUCKER TREATED ME FOR (1) ONE YEAR BEFORE I WAS SENT TO PRISON. Now I will describe my living conditions at Unit 29-F Building. First I AM HOUSED IN A BUILDING THAT HAS NAKED WIRE'S STICKING OUT OF THE WALLS AND BATHROOMS. THE SHOWER HAS SLICK FLOORS AND NO HANDICAP BAR IN THE SHOWER. THERE ARE 2 WORKING TOILETS OUT OF 4 FOR 80 PLUS PRISONERS TO USE, 3 TORN-UP SINKS ON EACH TIER. 2 OUT OF 4 URINALS WORK. THERE IS AN UNCAPPED STOPPED UP SEWER PIPE IN THE DAY ROOM FLOOR. THE ROOFS IN ALL BUILDINGS AT UNIT 29 LEAK VERY BADLY WHEN IT RAINS AND I HAVE TO CROSS THE DAYROOM FLOOR FULL OF WATER TAKING A CHANCE OF SLIPPING AND DAMAGING MY HIP TO WHERE I COULD INJURY MYSELF AND NEVER WALK AGAIN. THERE IS A WATER FOUNTAIN BUT IT DON'T WORK AND I WAS MADE TO DRINK NASTY, SMELLY, BROWN WATER AND I QUIT DRINKING IT AFTER I GAINED 10 POUNDS OF FLUID ON MY BODY AND

the weight gain (Fluid Build up) is documented in my Prison Medical Records. M.D.O.C. AND HEALTHY DEPT. OFFICIALS HAVE KNOWN ABOUT THE WATER CONDITION FOR YEARS AND M.D.O.C. OFFICIALS REPLACED THE OUTER BUILDING WATER SUPPLIES TO THE BUILDINGS KNOWING THAT ALL PRISONERS WERE IN FACT DRINKING WATER THAT EFFECTED ALOT OF PRISONERS KIDNEYS AND IT WAS COVER-UP BY PRISON OFFICIALS KNOWINGLY. THE FOOD I AM SERVED IS PREPARED IN PART IN AN UNSANITARY PRISON GYM AND COOKIES AND BREAD ARE PLACED ON ALL TRAYS BY PRISONERS THAT ARE FORCED TO USE UNSANITARY BENCH'S THAT PRISONERS SET ON DIRTY, SWEATY AND HANG THEIR LAUNDRY ON TO DRY. THE PRISON INMATE LEGAL ASSISTANCE PROGRAM WORKER KATHRYN MCINTYRE DENY'S ME ACCESS TO THE COURTS AND LEGAL ASSISTANCE FOR I AM INDIGENT AND UNIT 29 E-F BUILDING ENTRY RECORDS SHOW IT TO BE FACT SHE DENY'S ME AND OTHER PRISONERS LEGAL SERVICES AND HER BOSS GINA NI MCLEOD COVERS UP HER WRONG DOING EVEN WITH EMPLOYEED M.D.O.C. STAFF AS WITNESSES TO THE DENIAL OF ACCESS TO THE COURTS. I REQUEST YOUR HELP AND A FULL FEDERAL INVESTIGATION INTO THE MATTER. MANY MEDICAL PRISONERS ARE HOUSED HERE WITH ME IN THE VERY SAME UNCONSTITUTIONAL CONDITIONS.

Respectfully Submitted,
 Andrew C. Cause Jr. # 64876
 M.S.P. Unit 29-F
 B-ZONE BED 65
 PARCHMAN, MS. 38738

Exhibit 15

TO: WARDEN MORRIS
M.S.P. - Administration
PARCHMAN, MS. 38738

JUNE 19, 2017

RE: TRANSFER AND NEEDED MEDICAL CARE

WARDEN MORRIS,

I HAVE REQUESTED TO BE TRANSFERRED BACK TO C.M.C.F. AT PEARL MS. WHERE I CAN BE HOUSED IN A SANITARY BUILDING AND RECEIVE PROPER MEDICAL CARE. WARDEN MORRIS I HAVE FREE WORLD SPECIALIST THAT HAVE TREATED AND MONITORED MY MEDICAL CARE FOR OVER A (2) TWO YEAR PERIOD AND BECAUSE OF MY SICKNESSES I WAS PURPOSELY SENT TO PARCHMAN WHERE I WILL DIE FROM BEING HOUSED IN A CONDEMNED UNIT WITH BLACK MOLD AND DIRTY UNSANITARY WATER THE M.D.C. ADMINISTRATIVE OFFICIALS ARE WELL AWARE OF AND HAVE KNOWN FOR OVER A (1) ONE YEAR PERIOD AND HAS DONE NOTHING TO CORRECT. FIRST OF ALL I HAVE 3 NATURAL LIFE SENTENCES AND AM ON APPEAL AND NOT GETTING THE MEDICAL CARE MY SICKNESSES DEMAND FOR MY CARE. FIRST UNIT 29 AS A WHOLE YOU KNOW HAS HAD BLACK MOLD IN ALL THE BUILDINGS AND DOCUMENTS AS FAR BACK AS 1988 WHEN I WAS PERSONALLY HOUSED AT UNIT 29-F AND OVER 20 YEARS LATER THE ROOFS STILL LEAK AND ARE FULL OF BLACK MOLD AND ALL WARDENS AS WELL AS THE COMMISSIONERS OFFICE KNOWS UNIT 29 WAS NEVER DESIGNED

(1)

11/14/17

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to house Medical Class 3 and 4 prisoners and was designed to be a work force camp to employ prisoners to the field and certainly not to house medical prisoners with Physical Disability. Ms. Dept. of Corrections provides medical care thru a Centurion of Mississippi which say they only have one qualified doctor to treat me for my Bone Joint Disease and that is Dr. Kupper that I HAVE NEVER MEET. A Nurse gave me my supposed shot in the top of my left hip and did not even know where the shot was suppose to go. The appropriate medical staff here at Parchman NEVER sees you and the nurses are overworked, and are not qualified in the treatment of my Bone Joint Disease that I have. I also have Chronic COPD and Congestive Heart Failure and should not be housed at all in a building that is not handicapped accessible. The Nurse did not give me the proper shot for the pain shot was given in the top of the left hip and not even at the diseased area. It made me run a fever for 3 days and disrupted my sleep as well as added to the pain level. I am asking you help in resolving this issue without having to take this matter before the U.S. District Court. When Maheris I have a liberty interest in this for the prison actions interfere with my constitutional protected rights and they result in conditions of confinement that are much worse than is normal for prisoners

Not only does this violate the conditions of my Medical Care my being housed at M.S.P. at Parchman

(2)

violates my right to FREEDOM OF ASSOCIATION UNDER THE FIRST AMEND. FOR IT IS KNOWN FACT MY FAMILY AND CHILDREN LIVE IN HARRISON AND JACKSON Co MS. AND CANNOT TRAVEL TO PARCHMAN TO SEE ME. AND MY RIGHT TO BE FREE FROM CRUEL AND UNUSUAL PUNISHMENT UNDER THE EIGHT AMEND AND MY RIGHT TO SUBSTANTIVE DUE PROCESS UNDER THE FIFTH AND FOURTEENTH AMEND.'S AND ALL ARE GOVERNED BY THE SAME LEGAL STANDARD, DEVELOPED IN A CASE CALLED TURNER V. SAFFLEY, 482 U.S. 78 (1987) AND WHAT THE FEDERAL COURTS NOW CALL THE TURNER TEST. AND THIS ALSO MAKES MY CASE A HARDSHIP CASE FOR NO M.S.P. UNIT, HOSPITAL UNIT, ETC. DO A FULL HIP REPLACEMENT AT THEIR UNIT'S AND C.M.C.F.'S WHERE I WAS FIRST CLASSIFIED TO GO TO. GREEN Co. AS WELL AS EAST MERIDIAN ARE ALSO CLOSER TO HOME AND ALL 3 INSTITUTIONS HOUSE MEDICAL CLASS PRISONERS IN UNIT HOUSING THAT IS NOT FULL OF BLACK MOLD AND CONTAMINATED WATER. THE COURT ALSO DECIDED THE TURNER RULE WASN'T REASONABLY RELATED TO THE PRISON'S INTEREST IN PUNISHMENT AND CLEANLINESS, A PROBLEM UNDER TURNER QUESTION 1. SPELLMAN V. HOPPER, 95 F.Supp.2d 1267 (M.D.AL 1999). I DO HAVE A LIBERTY INTEREST FOR I WAS TRANSFERRED AND HOUSED AT A PRISON FACILITY WHERE CONDITIONS ARE WAY HARSHER THAN MOST PRISONS. SEE WILKINSON V. AUSTIN, 545 U.S. 209 (2005) ALSO SEE MY PROCEDURAL PROTECTIONS AS IN VITEK V. JONES, 445 U.S. 480 (1980).

I AM DENIED ENTIRELY IN GETTING MY DAILY BREATHING TREATMENTS THAT I GOT DAILY FOR OVER

Case: 4:17-cv-00162-DAS Doc #: 1 Filed: 11/14/17 82 of 88 PageID #: 83
5 CALENDAR YEARS AND I AM TOLD I CAN NOT
RECEIVE THEM AT THE M.S.P. AT PARCHMAN FOR THIS
FORM OF MY DAILY MEDICAL CHRONIC CARE IS IN FACT
DENIED TO ME ALL TOGETHER. I WOULD APPRECIATE
YOUR HELP AND ASSISTANCE IN THIS MATTER FOR IF
I CANT BE TRANSFERRED TO C.M.C.F., I WOULD
REQUEST GREEN CO. ARE EAST MERIDIAN TO BE CLOSER
TO MY FAMILY AND RECEIVE PROPER MEDICAL CARE.

Respectfully Yours,

ANDREW C. CRUSE, JR.

#64876 M.S.P.

Unit 29-F B-ZONE BED 65

PARCHMAN, MS. 38738

5 CALENDAR YEARS AND I AM TOLD I CANNOT RECEIVE THEM AT THE M.S.P. AT PARCHMAN FOR THIS FORM OF MY DAILY MEDICAL CHRONIC CARE IS IN FACT DENIED TO ME ALL TOGETHER. I WOULD APPRECIATE YOUR HELP AND ASSISTANCE IN THIS MATTER FOR IF I CANT BE TRANSFERRED TO C.M.C.F.; I WOULD REQUEST GREEN CO. ARE EAST MERIDIAN TO BE CLOSER TO MY FAMILY AND RECEIVE PROPER MEDICAL CARE.

Respectfully Yours,
#64876 ^{Andrew C. Cause Jr.} M.S.P.
Unit 29-F B-ZONE Bed 65
PARCHMAN, MS. 38738

OFFENDER LOG:CRUSE, ANDREW C, JRInmate ID:64876
Printed:10/03/2017 11:01By:HOPSON, LAURA D.
For the period from:10/01/2017 10:59to10/03/2017 11:01
Log Type:LEGAL

10/03/2017 07:54 - HOPSON, LAURA D. - LEGAL

ARP LTR 10-3-17

10/03/2017 10:59 - HOPSON, LAURA D. - LEGAL (10/03/2017 11:01)

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S.P. Unit 30-44
Zone 6 and 140
Arkansas, Mo. 38738

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PAUCHMAN, MS 38738

LEGAL MAIL
MISSISSIPPI STATE PENITENTIARY
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EASTERN DISTRICT OF ARKANSAS

Pro Se Law Clerk
U.S. District Court
301 W. Commerce St. #13
Fayetteville, Mo 39730

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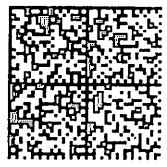
Premier Supply Link, LLC
P.O. Box 97538
Pearl, MS 39288

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UNITED STATES DISTRICT COURT
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Aberdeen, MS 39730

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